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(exp. 02/28/2006)

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

PHA Plans

5 Year Plan for Fiscal Years 2005 - 2009
Annual Plan for Fiscal Year Beginning October 1, 2007

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

PHA Plan
Agency Identification

PHA Name: Housing Authority of the City of Waco

PHA Number: TX-010

PHA Fiscal Year Beginning: 10/2007

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
☐ Other (list below)

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

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

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

A. Mission

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

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

☒ The PHA's mission is: (state mission here)
Making homes happen for families and to be the main source of providing affordable housing choices for the City of Waco.

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) 77.14
- ☒ Improve voucher management: (SEMAP score) 99
- ☒ 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)
  Increase landlord participation in assisted housing programs.

☒ 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)

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)

Five Year Plan
Goals

The goals and objectives adopted by the Housing Authority of the City of Waco are:

Goal One: Increase the affordable housing stock available to low-income persons in Waco and to increase the landlord participation in Waco, Hill County and Somervell Counties.

Objectives:

1. Develop and implement marketing programs to increase the number of landlords participating in the Section 8 program. This marketing outreach will be accomplished twice a year, in the spring and fall seasons. Project to increase landlord participation until market is saturated by Section 8 clients.
2. To joint venture with developers to build or rehabilitate more housing in Waco.
3. Pursue all grant activities that will allow Waco Housing Authority to improve or increase housing stock in Waco.
4. Continue to maintain existing public housing and non-profit corporation housing stock in a high quality condition.

Goal One Update:

1. Marketing of Section 8 programs continued to increase the number of landlords participating in Section 8. Marketing was done by following up on all initial new landlord calls with our landlord packet and inviting them to our annual landlord meeting. Our annual landlord meeting goes over changes in requirements, questions, legal issues and inspection codes as a way to analyze participation. Our marketing has increased the number of landlords participating by fifty one (51) in Waco, ten (6) in Hill County and one (1) in Somervell County.
2. We continue to work with organizations involved in revitalizing neighborhoods in Waco. These include Habitat for Humanity and Neighborworks Waco both for credit repair, homeownership training and down payment assistance. In addition, our FSS program enables participants to use escrow funds towards home ownership.
3. Began operating a Section 8 Homeownership Program in Waco that allowed for the use of HAP to aid in their mortgage assistance. Our total for home ownership is fifteen (15) using the Section 8 Rental Assistance Program.
4. To maintain existing public housing stock the following tasks were done to maintain our units to a high quality standard. They include: Parking lot repair at all sites and soffit replacement at the South Terrace development. In addition, we operate a cooperative agreement with local law enforcement that allows for a sub-station at each site. We also hire off-duty police personnel as our security to enable the flow of information.

Goal Two: Increase the applicant waiting lists of Waco, Hill County and Somervell County Housing Authority's housing programs to include citizens from all sectors of our community.

Objectives:

1. Market more heavily in sectors of our community not represented on our waiting list, such as communities where language may be a barrier, or to organizations serving the elderly or disabled, or through periodicals that reach rural adjacent counties where persons may be moving to McLennan, Hill or Somervell County.
2. Initiate opportunities for Waco, Hill County and Somervell County Housing Authority representatives to speak on the behalf of our programs at functions throughout the community.

Goal Two Update:

1. Marketing was done for all Section 8 and Public Housing programs on our waiting lists for Waco and for Hill and Somervell County. We advertised in the Thrifty Nickel, Tiempo, and local papers in Hill County, Somervell County and Waco. We posted flyers at government agencies and colleges in both Spanish and English in both counties to effectively let people know about our programs. This has proved especially effective as we receive referrals from these places of people who should be eligible for the programs. The Section 8 waiting list for Waco was closed in December due to there being over 2000 on the list. The waiting list for Hill and Somervell Counties are open.
2. Representatives from both Public Housing and Section 8 programs participated in job training programs sponsored by Workforce Development and during community services day for students at all local colleges, (TSTC, McLennan Community College, Hill Junior

College). In addition, Section 8 Homeownership Program and Family Self Sufficiency Program representatives have spoken at state conferences to give other agencies insight into starting their own programs.

Annual PHA Plan
PHA Fiscal Year 2007
[24 CFR Part 903.7]

i. Annual Plan Type:
Select which type of Annual Plan the PHA will submit.

☒ **Standard Plan**

Streamlined Plan:

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

☐ **Troubled Agency Plan**

ii. Executive Summary of the Annual PHA Plan
[24 CFR Part 903.7 9 (r)]
Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

The Housing Authority of the City of Waco and the Section 8 Programs of Hill and Somervell Counties has prepared these Agency Plans in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998 and the ensuing HUD requirements.

The housing authority staff and Board of Commissioners have adopted the mission statement slogan of “Making Homes Happen for Families” as our guide in determining the activities of this Authority.

You will find that the largest percentage of our program activities are geared toward development of self esteem, educational development, support systems to enhance job opportunities and preparation training for renting or buying in the private sector market.

Beyond the housing authority’s mission statement slogan, the mission of the Housing Authority of the City of Waco is to be the main provider of affordable housing choices in McLennan, Hill and Somervell counties.

In addition to public and assisted housing, the housing authority sponsors non-profit corporation housing opportunities at affordable rates.

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.

Table of Contents

Page #

Annual Plan

i. Executive Summary 1
ii. Table of Contents
1. Housing Needs 9
2. Financial Resources 16
3. Policies on Eligibility, Selection and Admissions 17
4. Rent Determination Policies 26
5. Operations and Management Policies 29
6. Grievance Procedures 31
7. Capital Improvement Needs 32
8. Demolition and Disposition 53
9. Designation of Housing 53
10. Conversions of Public Housing 54
11. Homeownership 55
12. Community Service Programs 56
13. Crime and Safety 59
14. Pets (Inactive for January 1 PHAs) 60
15. Civil Rights Certifications (included with PHA Plan Certifications) 60
16. Audit 60
17. Asset Management 61
18. Other Information 61

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 (after analysis, it was determined that no admission policy changes were required)

☒ FY 2006 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 2006 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;

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
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

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
	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
	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	Annual Plan: Annual Audit

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
	response to any findings	
	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-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	8642	4	3	2	3	3	3
Income >30% but <=50% of AMI	7184	4	3	2	3	3	3
Income >50% but <80% of AMI	5997	3	3	2	3	3	3
Elderly	15249	3	3	3	3	3	3
Families with Disabilities	28702	3	3	3	4	3	3
Race/Ethnicity - White	69119	2	2	2	3	3	3
Race/Ethnicity - Black	26461	3	3	3	3	3	3

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Race/Ethnicity - Hispanic	26885	3	3	3	3	3	3
Race/Ethnicity - Asian	1567	3	3	3	3	3	3

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:
☒ 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)

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

Housing Needs of Families on the Waiting List			
Waiting list total	243		
Extremely low income <=30% AMI	233	83%	
Very low income (>30% but <=50% AMI)	42	15%	
Low income (>50% but <80% AMI)	6	2%	
Families with children	119	42%	
Elderly families	11	4%	
Families with Disabilities	36	13%	
Race/ethnicity - Asian	1	0.35%	
Race/ethnicity - Hispanic	63	22%	
Race/ethnicity - Black	158	56%	
Race/ethnicity - White	57	20%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	183	65%	
2 BR	67	24%	
3 BR	29	11%	
4 BR	3	.01%	

Housing Needs of Families on the Waiting List			
5 BR			
5+ BR			

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

If yes:

How long has it been closed (# of months)

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

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

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	2192		
Extremely low income <=30% AMI	1525	70%	
Very low income (>30% but <=50% AMI)	565	26%	
Low income (>50% but <80% AMI)	88	4%	
Families with	1583		

Housing Needs of Families on the Waiting List			
children			
Elderly families	76		
Families with Disabilities	69		
Race/ethnicity - Asian	4	0.19%	
Race/ethnicity - Indian	7	0.3%	
Race/ethnicity - Black	1198	55%	
Race/ethnicity - White	983	45%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			

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

If yes:

How long has it been closed (# of months)? 8

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

C. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

- ☒ Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing

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

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

Strategy 1: Target available assistance to families at or below 50% of AMI
Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:
Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:
Select all that apply

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

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

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

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

Strategy 2: Conduct activities to affirmatively further fair housing
Select all that apply

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

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

(2) Reasons for Selecting Strategies
Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

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

2. Statement of Financial Resources
[24 CFR Part 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
1. **Federal Grants (FY 2005 grants)**		
a) Public Housing Operating Fund	$3,092,501	
b) Public Housing Capital Fund	$1,379,088	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	$10,444,726	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants	$48,281	
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below)		
FSS/Homeownership	$71,039	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income	$1,671,000	
Investment Interest	$123,900	

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
4. Other income (list below)	$139,100	
Cable Commissions	$ 25,200	
4. Non-federal sources (list below)		
Excess Utility Receipts	$200,000	
Mgmt. Fees for Non-profits	$289,375	
Total resources	$17,484,210	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

(1) Eligibility

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

☐ When families are within a certain number of being offered a unit: (state number)
☐ When families are within a certain time of being offered a unit: (state time)
☒ Other: (describe) Upon Application

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?

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

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

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?
☐ PHA main administrative office
☐ All PHA development management offices
☐ Management offices at developments with site-based waiting lists
☐ At the development to which they would like to apply

☐ Other (list below)

(3) Assignment

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

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

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

(4) Admissions Preferences

a. Income targeting:
☒ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?
b. Transfer policies:
In what circumstances will transfers take precedence over new admissions? (list below)
☒ Emergencies
☒ Overhoused
☒ Underhoused
☒ Medical justification
☒ Administrative reasons determined by the PHA (e.g., to permit modernization work)
☐ Resident choice: (state circumstances below)
☐ Other: (list below)

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

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

Former Federal preferences:

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

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

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

☒ 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)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)
☒ At an annual reexamination and lease renewal
☒ Any time family composition changes
☒ At family request for revision
☐ Other (list)

(6) Deconcentration and Income Mixing

a. ☐ Yes ☒ No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. ☐ Yes ☒ No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

☐ Adoption of site-based waiting lists
If selected, list targeted developments below:

☐ Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:

☐ Employing new admission preferences at targeted developments
If selected, list targeted developments below:

☐ Other (list policies and developments targeted below)

d. ☐ Yes ☒ No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

☐ Additional affirmative marketing
☐ Actions to improve the marketability of certain developments
☐ Adoption or adjustment of ceiling rents for certain developments
☐ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
☐ Other (list below)

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

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

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

☒ Not applicable: results of analysis did not indicate a need for such efforts

☐ List (any applicable) developments below:

B. Section 8

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

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)
☒ Criminal or drug-related activity only to the extent required by law or regulation
☐ Criminal and drug-related activity, more extensively than required by law or regulation
☒ More general screening than criminal and drug-related activity (list factors below)
☐ Other (list below)

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)
How to become a landlord with housing assisted tenants**.**

(2) Waiting List Organization

a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
☒ None
☐ Federal public housing
☐ Federal moderate rehabilitation
☐ Federal project-based certificate program
☐ Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
☒ PHA main administrative office
☐ Other (list below)

(3) Search Time

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

If yes, state circumstances below:

(4) Admissions Preferences

a. Income targeting

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

b. Preferences

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

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

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

Other preferences (select all that apply)
☒ Working families and those unable to work because of age or disability
☒ Veterans and veterans' families
☐ Residents who live and/or work in your jurisdiction
☒ Those enrolled currently in educational, training, or upward mobility programs
☐ Households that contribute to meeting income goals (broad range of incomes)

☐ Households that contribute to meeting income requirements (targeting)
☐ Those previously enrolled in educational, training, or upward mobility programs
☐ Victims of reprisals or hate crimes
☐ Other preference(s) (list below)

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

☒ Date and Time

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

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

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)
☒ Date and time of application
☐ Drawing (lottery) or other random choice technique

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

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

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

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

☒ Through published notices
☐ Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

☐ $0
☐ $1-$25
☒ $26-$50

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

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

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

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

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

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

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

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

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

e. Ceiling rents

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

☐ Yes for all developments
☐ Yes but only for some developments
☒ No

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

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

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

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

f. Rent re-determinations:

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

☐ Never
☐ At family option
☒ Any time the family experiences an income increase
☐ Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
☐ Other (list below)

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

(2) Flat Rents

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

☐ The section 8 rent reasonableness study of comparable housing
☐ Survey of rents listed in local newspaper
☐ Survey of similar unassisted units in the neighborhood
☒ Other (list/describe below) **95th percentile**

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)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)
☒ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
☐ Reflects market or submarket
☐ To increase housing options for families
☐ Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)
☒ Annually
☐ Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)
☐ Success rates of assisted families
☒ Rent burdens of assisted families
☐ Other (list below)

(2) Minimum Rent

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

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

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

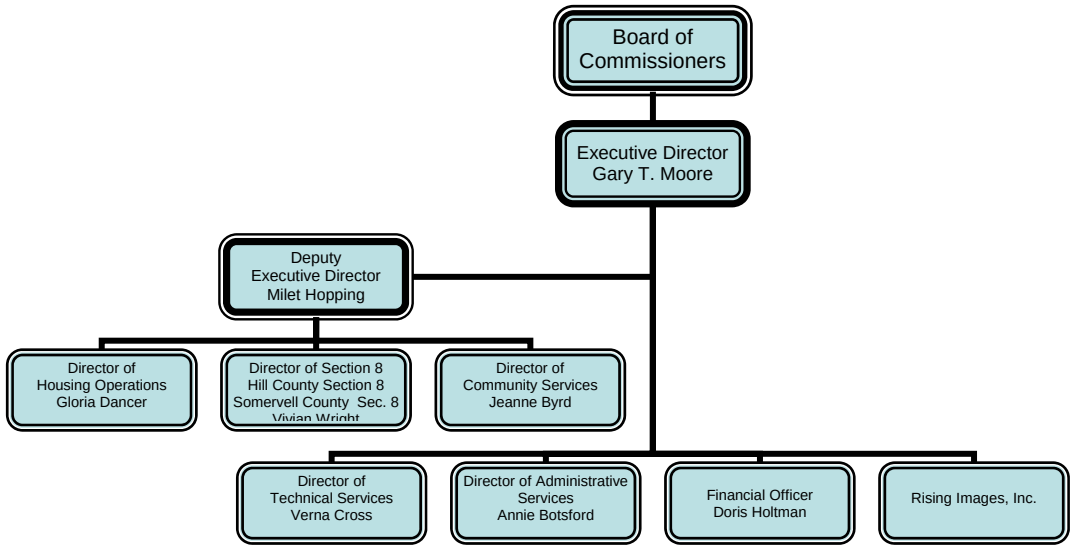
Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

☒ An organization chart showing the PHA's management structure and organization is attached.



☐ A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	868	27
Section 8 Vouchers	2130	500
Section 8 Certificates	0	0
Section 8 Mod Rehab	0	0
Special Purpose Section 8 Certificates/Vouchers (list individually)	N/A	N/A

Public Housing Drug Elimination Program (PHDEP)	N/A	N/A
Other Federal Programs(list individually)	N/A	N/A

C. Management and Maintenance Policies

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

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

Admissions and Continued Occupancy Policy (ACOP)

Maintenance Policy and all supporting documents listed in table as available for public inspection earlier in this document

(2) Section 8 Management: (list below)

Administrative Plan

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

If yes, list additions to federal requirements below:

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

☒ PHA main administrative office

☒ PHA development management offices

☐ Other (list below)

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

☒ PHA main administrative office

☐ Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

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

-or-

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

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

PHA Name: The Housing Authority of the City of Waco	Grant Type and Number Capital Fund Program Grant No: TX-21-P-010-501/05 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** ☒ **Revised Annual Statement (revision no:** 2)
☒ **Performance and Evaluation Report for Period Ending: 03/30/2007** ☐ **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	150,191.00	144,513.00	144,513.00	144,513.00
3	1408 Management Improvements	300,383.00	289,026.80	289,026.80	289,026.880
4	1410 Administration	150,191.00	141,766.20	141,766.20	106,976.14
5	1411 Audit	7,510.00	510.00	510.00	0.00
6	1415 Liquidated Damages	0.00	0.00	0.00	0.00
7	1430 Fees and Costs	15,020.00	0.00	0.00	0.00
8	1440 Site Acquisition	0.00	0.00	0.00	0.00
9	1450 Site Improvement	152,000.00	422,506.42	422,506.42	348,997.62
10	1460 Dwelling Structures	540,610.00	390,705.82	390,705.82	268,480.70
11	1465.1 Dwelling Equipment—Nonexpendable	100,000.00	39,401.76	39,401.76	37,785.50
12	1470 Nondwelling Structures	5,000.00	0.00	0.00	0.00
13	1475 Nondwelling Equipment	73,500.00	16,704.00	16,704.00	6,258.17

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco	Grant Type and Number Capital Fund Program Grant No: TX-21-P-010-501/05 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005

☐ Original Annual Statement ☐ Reserve for Disasters/ Emergencies ☒ Revised Annual Statement (revision no: 2)
☒ Performance and Evaluation Report for Period Ending: 03/30/2007 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
14	1485 Demolition	3,755.00	0.00	0.00	0.00
15	1490 Replacement Reserve	0.00	0.00	0.00	0.00
16	1492 Moving to Work Demonstration	0.00	0.00	0.00	0.00
17	1495.1 Relocation Costs	3,755.00	0.00	0.00	0.00
18	1499 Development Activities	0.00	0.00	0.00	0.00
19	1501 Collaterization or Debt Service	0.00	0.00	0.00	0.00
20	1502 Contingency	0.00	0.00	0.00	0.00
21	Amount of Annual Grant: (sum of lines 2 – 20)	1,501,915.00	1,445,134.00	1,445,134.00	1,202,037.93
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: The Housing Authority of the City of Waco	Grant Type and Number Capital Fund Program Grant No: TX-21-P-010-501/05 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	
PHA WIDE	Operations	1406		150,191.00	144,513.00	144,513.00	144,513.00	
	Administrative Support Salaries	1408		109,000.00	147,672.99	147,672.99	147,672.99	

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Finance Department Support	1408		58,000.00	37,010.72	37,010.72	37,010.72	
	MIS Department Support	1408		18,000.00	12,437.87	12,437.87	12,437.87	
	Staff Training	1408		5,383.00	3,014.09	3,014.09	3,014.09	
	User Software Upgrades	1408		3,000.00	13,494.21	13,494.21	13,494.21	
	Security	1408		36,000.00	34,683.00	34,683.00	34,683.00	
	Social Services Salaries	1408		71,000.00	40,713.92	40,713.92	40,713.92	
	Mod Salaries & Benefits	1410		136,191.00	131,481.20	131,481.20	103,042.64	
	Mod Training	1410		1,500.00	170.00	170.00	370.00	
	Publications	141012		1,500.00	0.00	0.00	0.00	
	Sundry	141019		11,000.00	10,115.00	10,115.00	3,563.50	
	Audit	1411		7,510.00	510.00	510.00	0.00	
	A&E Services	1430		15,020.00	0.00	0.00	0.00	
	Gas Pipeline, Annual Contract	1450	1	10,000.00	7,620.00	7,620.00	9,565.80	
	Pest Control	1460		20,840.00	20,840.00	20,840.00	12,500.00	
	Ranges, Refrigerators, Boilers, Heat Pump & Furnaces	1465.1		100,000.00	37,385.39	37,385.39	37,785.50	
	Office Renovations	1470		5,000.00	0.00	0.00	0.00	
	Office Furniture & Equipment	147501		2,500.00	0.00	0.00	0.00	
	Workstation Upgrades	147504		30,000.00	16,704.00	16,704.00	6,258.17	
	Vehicles	147507		41,000.00	0.00	0.00	0.00	
	Demolition	1485		3,755.00	0.00	0.00	0.00	
	Relocation	1495		3,755.00	0.00	0.00	0.00	
	TOTAL			$840,145.00	658,365.39	658,365.39	606,625.41	
TX010-001	**Site Improvements**	1450						

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
KATE ROSS	Parking Lot Resurface	1450	1	7,000.00	50,218.63	50,218.63	66,033.51	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	5	22,000.00	0.00	0.00	0.00	
	Roof Replacements	1460	2	12,000.00	2,016.37	2,016.37	0.00	
	Windows	1460	7	12,000.00	0.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	6	10,500.00	0.00	0.00	0.00	
	Exhaust Fans in Bath	1460	4	10,735.00	0.00	0.00	0.00	
	TOTAL:			74,235.00	52,235.00	52,235.00	66,033.51	
TX010-003	**Site Improvements**	1450						
KATE ROSS	Parking Lot Resurface	1450	3	7,000.00	77,274.67	77,274.67	33,047.91	

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Repair Sewer Line	1450	1	0.00	1,000.00	1,000.00	864.97	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	150	45,125.00	4,319.69	4,319.69	0.00	
	Roof Replacements	1460	150	40,625.00	5,319.70	5,319.70	0.00	
	Plumbing Repairs	1460	0	750.00	6,250.00	6,250.00	6,175.00	
	TOTAL:			93,500.00	94,164.06	94,164.06	40,087.88	
TX010-004	**Site Improvements**	1450						
ESTELLA	Parking Lot Resurface	1450	3	21,000.00	148,657.24	148,657.24	76,427.42	
MAXEY								

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	250	85,775.00	8,360.38	8,360.38	2,723.70	
	Roof Replacement	1460		84,775.00	0.00	0.00	0.00	
	GFI in Bath and Kitchen	1460		750.00	750.00	750.00	0.00	
	TOTAL:			192,300.00	157,767.62	157,767.62	79,151.12	
TX010-005	**Site Improvements**	1450						
ESTELLA	Parking Lot Resurface	1450		56,000.00	55,000.00	55,000.00	37,623.44	
MAXEY								

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	114	20,875.00	7,113.68	7,113.68	0.00	
	Roof Replacement	1460		24,375.00	24,375.00	24,375.00	0.00	
	GFI in Bath and Kitchen	1460		250.00	250.00	250.00	0.00	
	TOTAL:			101,500.00	86,738.68	86,738.68	37,623.44	
TX010-007	Site Improvements	1450						
E.A. Flowers	Parking Lot Resurface	1450		3,500.00	5,125.27	5,125.27	9,553.37	
	Dwelling Structures	1460						

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Repair of Building Exterior Walls	1460	36	1,500.00	1,500.00	0.00	0.00	
	TOTAL:			5,000.00	6,625.27	6,625.27	9,553.37	
TX010-008	**Site Improvements**	1450						
SOUTH	Parking Lot Resurface	1450	1	42,000.00	77,610.61	77,610.61	66,760.32	
TERRACE								
	Dwelling Structures	1460						

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Roof Replacements	1460	150	80,000.00	237,632.05	237,632.05	238,860.00	
	GFI in Bath and Kitchen	1460		500.00	0.00	0.00	0.00	
	Building Repairs (cracks)	1460		0.00	7,500.00	7,500.00	8,222.00	
	TOTAL:			122,500.00	322,742.66	322,742.66	313,842.32	
TX010-009	**Site Improvements**	1450						
SOUTH	Parking Lot Resurface	1450		5,500.00	50,218.63	50,218.63	49,120.88	
TERRACE								
	Dwelling Structures	1460						

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/05 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	
	Roof Replacements	1460	100	38,386.00	16,026.69	16,026.69	0.00	
	GFI in Bath and Kitchen	1460		250.00	250.00	0.00	0.00	
	Windows	1460		28,599.00	0.00	0.00	0.00	
	TOTAL:			72,735.00	66,495.32	66,495.32	49,120.88	

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

PHA Name: The Housing Authority of the City of Waco	**Grant Type and Number** Capital Fund Program No: TX-21-P-010-501/05 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	
PHA WIDE	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-001 KATE ROSS	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-003 KATE ROSS	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-004 ESTELLA MAXEY	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-005 ESTELLA MAXEY	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-007 KATE ROSS	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-008 SOUTH TERRACE	09/30/2007	03/31/2007	3/31/2007	09/30/2009			
TX010-009 SOUTH TERRACE	09/30/2007	03/31/2007	3/31/2007	09/30/2009			

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

PHA Name: The Housing Authority of the City of Waco	Grant Type and Number Capital Fund Program Grant No: TX-21-P-010-501/06 Replacement Housing Factor Grant No:	Federal FY of Grant: 2006

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** ☐ **Revised Annual Statement (revision no:** 0)
☒ **Performance and Evaluation Report for Period Ending: 03/30/2007** ☐ **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	137,908.00	137,908.00	137,908.00	137,908.00
3	1408 Management Improvements	275,817.00	275,817.00	201,456.00	41,882.70
4	1410 Administration	137,908.00	137,908.00	125,497.00	0.00
5	1411 Audit	510.00	510.00	0.00	0.00
6	1415 Liquidated Damages	0.00	0.00	0.00	0.00
7	1430 Fees and Costs	15,020.00	15,020.00	0.00	0.00
8	1440 Site Acquisition	0.00	0.00	0.00	0.00
9	1450 Site Improvement	291,675.00	291,675.00	0.00	0.00
10	1460 Dwelling Structures	354,007.00	354,007.00	0.00	0.00
11	1465.1 Dwelling Equipment—Nonexpendable	100,000.00	100,000.00	12,372.75	0.00
12	1470 Nondwelling Structures	5,000.00	5,000.00	0.00	0.00
13	1475 Nondwelling Equipment	54,017.00	54,017.00	20,000.00	0.00
14	1485 Demolition	3,613.00	3,613.00	0.00	0.00
15	1490 Replacement Reserve	0.00	0.00	0.00	0.00
16	1492 Moving to Work Demonstration	0.00	0.00	0.00	0.00
17	1495.1 Relocation Costs	3,613.00	3,613.00	0.00	0.00
18	1499 Development Activities	0.00	0.00	0.00	0.00
19	1501 Collaterization or Debt Service	0.00	0.00	0.00	0.00
20	1502 Contingency	0.00	0.00	0.00	0.00
21	Amount of Annual Grant: (sum of lines 2 – 20)	1,379,088.00	1,379,088.00	497,233.75	179,790.70
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				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
PHA WIDE	Operations	1406		137,908.00	137,908.00	137,908.00	137,908.00	
	Administrative Support Salaries	1408		99,294.00	99,294.00	99,294.00	41,882.70	
	Finance Department Support	1408		52,975.00	52,975.00	52,975.00	0.00	
	MIS Department Support	1408		16,729.00	16,729.00	16,729.00	0.00	
	Staff Training	1408		5,576.00	5,576.00	0.00	0.00	
	User Software Upgrades	1408		2,788.00	2,788.00	200.00	0.00	
	Security	1408		32,258.00	32,258.00	32,258.00	0.00	
	Social Services Salaries	1408		69,197.00	69,197.00	0.00	0.00	
	Mod Salaries & Benefits	1410		125,497.00	125,497.00	125,497.00	0.00	
	Mod Training	1410		1,379.00	1,379.00	0.00	0.00	
	Publications	141012		1,379.00	1,379.00	0.00	0.00	
	Sundry	141019		9,653.00	9,653.00	0.00	0.00	
	Audit	1411		510.00	510.00	0.00	0.00	
	A&E Services	1430		15,020.00	15,020.00	0.00	0.00	
	Gas Pipeline, Annual Contract	1450		10,000.00	10,000.00	0.00	0.00	
	Pest Control	1460		20,840.00	20,840.00	0.00	0.00	
	Ranges, Fridges, Boilers, Heat Pump, Furnaces	1465.1		100,000.00	100,000.00	12,372.75	0.00	
	Office Renovations	1470		5,000.00	5,000.00	0.00	0.00	
	Office Furniture & Equipment	147501		1,158.00	1,158.00	0.00	0.00	
	Workstation Upgrades	147504		20,838.00	20,838.00	20,000.00	0.00	
	Vehicles	147507		32,021.00	32,021.00	0.00	0.00	
	Demolition	1485		3,613.00	3,613.00	0.00	0.00	
	Relocation	1495		3,613.00	3,613.00	0.00	0.00	
	TOTAL			$764,246.00	$764,246.00	497,233.75	179,790.70	

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
TX010-001	**Site Improvements**	1450						
KATE ROSS	Parking Lot Resurface	1450	1	5,371.00	5,371.00	0.00	0.00	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	5	20,369.00	20,369.00	0.00	0.00	
	Windows	1460	7	12,000.00	12,000.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	6	10,500.00	10,500.00	0.00	0.00	
	Exhaust Fans in Bath	1460	4	10,735.00	10,735.00	0.00	0.00	
	TOTAL:			58,975.00	58,975.00	0.00	0.00	
TX010-003	**Site Improvements**	1450						

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
KATE ROSS	Parking Lot Resurface	1450	1	4,479.00	4,479.00	0.00	0.00	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	3	42,604.00	42,604.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	3	750.00	750.00	0.00	0.00	
	TOTAL:			47,833.00	47,833.00	0.00	0.00	
TX010-004	**Site Improvements**	1450						
ESTELLA	Parking Lot Resurface	1450	3	22,400.00	22,400.00	0.00	0.00	

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
MAXEY	Replace all Underground Water Mains	1450		80,968.00	80,968.00	0.00	0.00	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	1	81,624.00	81,624.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	3	750.00	750.00	0.00	0.00	
	TOTAL:			$185,742.00	$185,742.00	0.00	0.00	
TX010-005	**Site Improvements**	1450						
ESTELLA	Parking Lot Resurface	1450		56,600.00	56,600.00	0.00	0.00	
MAXEY	Replace all Underground Water Mains	1450		65,601.00	65,601.00	0.00	0.00	

form **HUD 50075** (7/2003)

Annual Statement/Performance and Evaluation Report
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Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	4	19,095.00	19,095.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	1	250.00	250.00	0.00	0.00	
	TOTAL:			$141,546.00	$141,546.00	0.00	0.00	
TX010-007	**Site Improvements**	1450						
E.A. Flowers	Parking Lot Resurface	1450	1	2,907.00	2,907.00	0.00	0.00	

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
	Dwelling Structures	1460						
	Repair of Building Exterior Walls	1460	1	907.00	907.00	0.00	0.00	
	TOTAL:			$3,814.00	$3,814.00	0.00	0.00	
TX010-008	**Site Improvements**	1450						
SOUTH	Parking Lot Resurface	1450	6	39,479.00	39,479.00	0.00	0.00	
TERRACE								

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
	Dwelling Structures	1460						
	Roof Replacements	1460	2	77,479.00	77,479.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	14	500.00	500.00	0.00	0.00	
	TOTAL:			$117,458.00	$117,458.00	0.00	0.00	
TX010-009	**Site Improvements**	1450						
SOUTH	Parking Lot Resurface	1450	1	3,870.00	3,870.00	0.00	0.00	
TERRACE								

form **HUD 50075** (7/2003)

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/06 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	
	Dwelling Structures	1460						
	Roof Replacements	1460	7	26,755.00	26,755.00	0.00	0.00	
	GFI in Bath and Kitchen	1460	1	250.00	250.00	0.00	0.00	
	Windows	1460	1	28,599.00	28,599.00	0.00	0.00	
	TOTAL:			$59,474.00	$59,474.00	0.00	0.00	

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

PHA Name: The Housing Authority of the City of Waco	**Grant Type and Number** Capital Fund Program No: TX-21-P-010-501/06 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	
PHA WIDE	09/30/2008			09/30/2009			
TX010-001 KATE ROSS	09/30/2008			09/30/2009			
TX010-003 KATE ROSS	09/30/2008			09/30/2009			
TX010-004 ESTELLA MAXEY	09/30/2008			09/30/2009			
TX010-005 ESTELLA MAXEY	09/30/2008			09/30/2009			
TX010-007 KATE ROSS	09/30/2008			09/30/2009			
TX010-008 SOUTH TERRACE	09/30/2008			09/30/2009			
TX010-009 SOUTH TERRACE	09/30/2008			09/30/2009			

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

PHA Name: The Housing Authority of the City of Waco	Grant Type and Number Capital Fund Program Grant No: TX-21-P-010-501/07 Replacement Housing Factor Grant No:	Federal FY of Grant: 2007

☒ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** ☐ **Revised Annual Statement (revision no:** 0)
☐ **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	137,908.00			
3	1408 Management Improvements	275,817.00			
4	1410 Administration	137,908.00			
5	1411 Audit	0.00			
6	1415 Liquidated Damages	0.00			
7	1430 Fees and Costs	1,000.00			
8	1440 Site Acquisition	0.00			
9	1450 Site Improvement	268,200.00			
10	1460 Dwelling Structures	419,771.00			
11	1465.1 Dwelling Equipment—Nonexpendable	50,000.00			
12	1470 Nondwelling Structures	1,000.00			
13	1475 Nondwelling Equipment	86,484.00			
14	1485 Demolition	0.00			
15	1490 Replacement Reserve	0.00			
16	1492 Moving to Work Demonstration	0.00			
17	1495.1 Relocation Costs	1,000.00			
18	1499 Development Activities	0.00			
19	1501 Collaterization or Debt Service	0.00			
20	1502 Contingency	0.00			
21	Amount of Annual Grant: (sum of lines 2 – 20)	1,379,088.00			
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				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
PHA WIDE	Operations	1406		137,908.00				
	Administrative Support Salaries	1408		99,294.00				
	Finance Department Support	1408		52,975.00				
	MIS Department Support	1408		16,729.00				
	Staff Training	1408		5,576.00				
	User Software Upgrades	1408		2,788.00				
	Security	1408		32,258.00				
	Social Services Salaries	1408		66,197.00				
	Mod Salaries & Benefits	1410		125,497.00				
	Mod Training	1410		1,379.00				
	Sundry	141019		11,032.00				
	A&E Services	1430		1,000.00				
	Gas Pipeline, Annual Contract	1450		10,000.00				
	Pest Control	1460		14,471.00				
	Ranges, Fridges, Boilers, Heat Pump, Furnaces	1465.1		50,000.00				
	Office Renovations	1470		1,000.00				
	Office Furniture & Equipment	147501		1,000.00				
	Workstation Upgrades	147504		85,484.00				
	Relocation	1495		1,000.00				
	TOTAL			$715,588.00				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
TX010-001	**Site Improvements**	1450						
KATE ROSS	Phase 2 Parking Lot	1450		7,150.00				
	Dwelling Structures	1460						
	Replace tub and fixtures	1460	102	61,200.00				
	Painting façade & stairwells	1460	102	53,500.00				
	Total			121,850.00				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
TX010-003	**Site Improvements**	1450						
KATE ROSS	Phase 2 Parking Lot Repair	1450	3	11,050.00				
	Dwelling Structures	1460						
	Replace entry doors w/new hardware w/master key system	1460	150	25,000.00				
	Replace tub and fixtures	1460	150	60,000.00				
	Painting façade & stairwells	1460	150	31,500.00				
	TOTAL:			127,550.00				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
TX010-004	**Site Improvements**	1450						
ESTELLA	Phase 2 Parking Lot Repair	1450	1	2,600.00				
MAXEY	Gas isolation valves replacement	1450	4	138,800.00				
	Dwelling Structures	1460						
	Replace entry doors w/new hardware w/master key system	1460	250	40,000.00				
	Roof Repairs	1460	250	20,000.00				
	TOTAL:			$201,400.00				
TX010-005	**Site Improvements**	1450						

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
ESTELLA	Phase 2 Parking Lot Repair	1450	9	7,800.00				
MAXEY	Gas isolation valves replacement	1450	2	70,000.00				
	Dwelling Structures	1460						
	Replace entry doors w/new hardware w/master key system	1460	114	20,000.00				
	Roof Repairs	1460	114	20,000.00				
		1450						
	TOTAL:			$117,800.00				
TX010-007	**Site Improvements**	1450						
E. A. Flowers	Phase 2 Parking Lot Repair	1450	1	2,600.00				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
	Dwelling Structures	1460						
	Replace entry doors w/new hardware w/master key system	1460	36	7,500.00				
	Replace Ceramic Tile in Showers	1460	36	21,600.00				
	TOTAL:			$31,700.00				
TX010-008	**Site Improvements**	1450						
SOUTH	Phase 2 Parking Lot Repair	1450	1	11,050.00				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
TERRACE								
	Dwelling Structures	1460						
	Replace entry doors w/new hardware w/master key system	1460	150	25,000.00				
	TOTAL:			$36,050.00				
TX010-009	**Site Improvements**	1450						
SOUTH	Phase 2 Parking Lot Repair	1450	1	7,150.00				

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

PHA Name: The Housing Authority of the City of Waco		**Grant Type and Number** Capital Fund Program Grant No: TX-21-P-010-501/07 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	
TERRACE								
	Dwelling Structures	1460						
	Replace entry doors w/new hardware w/master key system	1460	100	20,000.00				
	TOTAL:			$27,150.00				

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

PHA Name: The Housing Authority of the City of Waco	**Grant Type and Number** Capital Fund Program No: TX-21-P-010-501/07 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	
PHA WIDE	09/30/2009			09/30/2010			
TX010-001 KATE ROSS	09/30/2009			09/30/2010			
TX010-003 KATE ROSS	09/30/2009			09/30/2010			
TX010-004 ESTELLA MAXEY	09/30/2009			09/30/2010			
TX010-005 ESTELLA MAXEY	09/30/2009			09/30/2010			
TX010-007 E A FLOWERS	09/30/2009			09/30/2010			
TX010-008 SOUTH TERRACE	09/30/2009			09/30/2010			
TX010-009 SOUTH TERRACE	09/30/2009			09/30/2010			

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Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name THE HOUSING AUTHORITY OF THE CITY OF WACO				☒ **Original 5-Year Plan** ☐ **Revision No: 5**	
Development Number/Name/HA-Wide	Year 1 2007	Work Statement for Year 2 FFY Grant: 2007 PHA FY: 2008	Work Statement for Year 3 FFY Grant: 2007 PHA FY: 2009	Work Statement for Year 4 FFY Grant: 2007 PHA FY: 2010	Work Statement for Year 5 FFY Grant:2007 PHA FY: 2011
	Annual Statement				
TX21P-010-001 Kate Ross		52,000.00	79,951.00	62,235.00	134,700.00
TX21P-010-003 Kate Ross		59,750.00	123,561.00	52,875.00	146,500.00
TX21P-010-004 Estella Maxey		52,000.00	203,512.00	194,045.00	187,800.00
TX21P-010-005 Estella Maxey		64,927.40	87,220.00	145,105.00	168,734.00
TX21P-010-007 Kate Ross		32,000.00	29,073.00	5,000.00	29,100.00
TX21P-010-008 South Terrace		107,000.00	123,561.00	122,500.00	65,000.00
TX21P-010-009 South Terrace		139,500.00	79,951.00	72,735.00	20,000.00
PHA Wide		32,100.00	31,638.00	34,453.00	14,000.00
Management Improvements		340,303.00	334,492.00	316,090.00	286,470.00
HA-Wide Non-dwelling Structures & Equipment		70,918.00	60,077.00	62,630.00	12,000.00
Administration		129,687.30	138,611.00	132,953.00	126,876.00
Other		60,000.00	60,077.00	100,000.00	50,000.00
Operations		129,687.30	150,191.00	144,513.00	137,908.00
Total CFP Funds (Est.)		$1,269,873.00	$1,501,915.00	$1,445,134.00	$1,379,088.00

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Total Replacement Housing Factor Funds					

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Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1 2007	Activities for Year: 2 FFY Grant: 2007 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2007 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**TX21P-010-001 Kate Ross**			**TX21P-010-001 Kate Ross**		
Annual	Site Improvements		27,500.00	Site Improvements		1,570.00
Statement	Dwelling Units		24,500.00	Dwelling Units		78,381.00
	TX21P-010-003 Kate Ross			**TX21P-010-003 Kate Ross**		
	Site Improvements		35,250.00	Site Improvements		2,426.00
	Dwelling Units		24,500.00	Dwelling Units		121,135.00
	TX21P-010-004 Estella Maxey			**TX21P-010-004 Estella Maxey**		
	Site Improvements		33,000.00	Site Improvements		3,996.00
	Dwelling Units		19,000.00	Dwelling Units		199,516.00
	TX21P-010-005 Estella Maxey			**TX21P-010-005 Estella Maxey**		
	Site Improvements		30,750.00	Site Improvements		1,713.00
	Dwelling Units		34,177.40	Dwelling Units		85,507.00
	SUBTOTAL OF	ESTIMATED COST:	$228,677.40	SUBTOTAL OF	ESTIMATED COST:	$494,244.00
Total CFP Estimated Cost			$228,677.40	Total CFP Estimated Cost		$494,244.00

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Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1 2007	Activities for Year: 2 FFY Grant: 2007 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2007 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**TX21P-010-007 Kate Ross**			**TX21P-010-007 Kate Ross**		
Annual	Site Improvement		22,000.00	Site Improvement		571.00
Statement	Dwelling Structure		10,000.00	Dwelling Structure		28,502.00
	TX21P-010-008 South Terrace			**TX21P-010-008 South Terrace**		
	Site Improvement		27,000.00	Site Improvement		2,426.00
	Dwelling Structure		80,000.00	Dwelling Structure		121,135.00
	TX21P-010-009 South Terrace			**TX21P-010-009 South Terrace**		
	Site Improvement	5 buildings	27,000.00	Site Improvement	5 buildings	1,570.00
	Dwelling Structure		112,500.00	Dwelling Structure		78,381.00
	PHA Wide Physical Improvements			**PHA Wide Physical Improvements**		
	Pest Control	Contract	10,000.00	Pest Control	Contract	23,381.00
	Relocation Expenses	70 units	11,500.00	Relocation Expenses	70 units	7,510.00
	Gas Pipeline Services	Annual	10,600.00	Gas Pipeline Services	Annual	747.00
	SUBTOTAL OF	ESTIMATED COST:	$310,600.00	SUBTOTAL OF	ESTIMATED COST:	$264,223.00
Total CFP Estimated Cost			$310,600.00	Total CFP Estimated Cost		$264,223.00

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Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1 2007	Activities for Year : 2 FFY Grant: 2007 PHA FY: 2008			Activities for Year: 3 FFY Grant: 2007 PHA FY: 2009		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**PHA Wide - Operations**		129,687.30	**PHA Wide - Operations**		150,191.00
Annual	Modernization Department Salaries	3	114,687.30	Modernization Department Salaries	3	132,821.00
Statement	Modernization Training		15,000.00	Modernization Training		5,790.00
	Agency Plan software, update	1	15,000.00	Agency Plan software, update	1	16,755.00
	Social Services		203,900.00	Social Services		257,939.00
	Staff Training		5,000.00	Staff Training		5,584.00
	Security and Support Salaries		18,000.00	Security and Support Salaries		20,105.00
	Tenant Trackers		0.00	Architectural Services		15,019.00
	Architectural Services		93,403.00	Sundry		19,090.00
	Audit		5,000.00			
	Vehicle		29,418.00	Vehicles		25,000.00
	Office Renovations		2,000.00	Office Renovations		7,510.00
	Office Furniture & Equipment		2,000.00	Office Furniture & Equipment		1,336.00
	Workstation Upgrades		36,000.00	Workstation Upgrades		18,721.00
	Demolition	1	1,500.00	Demolition	1	7,510.00
	Ranges & Refrigerators	100	60,000.00	Ranges & Refrigerators	100	60,077.00
SUBTOTAL OF ESTIMATED COST:			$730,595.60	SUBTOTAL OF ESTIMATED COST:		$743,448.00
Total CFP Estimated Cost			$730,595.60	Total CFP Estimated Cost		$743,448.00

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Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1 2007	Activities for Year : 4 FFY Grant: 2007 PHA FY: 2010			Activities for Year: 5 FFY Grant: 2007 PHA FY: 2011		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**TX21P-010-001 Kate Ross**			**TX21P-010-001 Kate Ross**		
Annual	Site Improvements		7,000.00	Site Improvements		0.00
Statement	Dwelling Units		55,235.00	Dwelling Units		134,700.00
	TX21P-010-003 Kate Ross			**TX21P-010-003 Kate Ross**		
	Site Improvements		7,000.00	Site Improvements		30,000.00
	Dwelling Units		45,875.00	Dwelling Units		116,500.00
	TX21P-010-004 Estella Maxey			**TX21P-010-004 Estella Maxey**		
	Site Improvements		107,520.00	Site Improvements		147,800.00
	Dwelling Units		86,525.00	Dwelling Units		40,000.00
	TX21P-010-005 Estella Maxey			**TX21P-010-005 Estella Maxey**		
	Site Improvements		123,980.00	Site Improvements		148,734.00
	Dwelling Structures		21,125.00	Dwelling Structures		20,000.00
	SUBTOTAL OF	ESTIMATED COST:	$454,260.00	SUBTOTAL OF	ESTIMATED COST:	$637,734.00
Total CFP Estimated Cost			$454,260.00	Total CFP Estimated Cost		$637,734.00

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Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1 2007	Activities for Year : 4 FFY Grant: 2007 PHA FY: 2010			Activities for Year: 5 FFY Grant: 2007 PHA FY: 2011		
	Development Name/Number	**Major Work Categories**	**Estimated Cost**	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**TX21P-010-007 Kate Ross**			**TX21P-010-007 Kate Ross**		
Annual	Site Improvements		3,500.00	Site Improvements		0.00
Statement	Dwelling Structures		1,500.00	Dwelling Structures		29,100.00
	TX21P-010-008 South Terrace			**TX21P-010-008 South Terrace**		
	Site Improvements		42,000.00	Site Improvements		40,000.00
	Dwelling Structures		80,500.00	Dwelling Structures		25,000.00
	TX21P-010-009 South Terrace			**TX21P-010-009 South Terrace**		
	Site Improvements	5 buildings	5,500.00	Site Improvements		0.00
	Dwelling Structures		67,235.00	Dwelling Structures		20,000.00
	PHA Wide Physical Improvements			**PHA Wide Physical Improvements**		
	Pest Control	contract	20,840.00	Pest Control	contract	3,000.00
	Relocation Expenses	70 units	3,613.00	Relocation Expenses	70 units	1,000.00
	Gas Pipeline Services	annual	10,000.00	Gas Pipeline Services	annual	10,000.00
	SUBTOTAL OF	ESTIMATED COST:	$234,688.00	SUBTOTAL OF	ESTIMATED COST:	$128,100.00
Total CFP Estimated Cost			$234,688.00	Total CFP Estimated Cost		$128,100.00

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Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages—Work Activities

Activities for Year 1 2007	Activities for Year : 4 FFY Grant: 2007 PHA FY: 2010			Activities for Year: 5 FFY Grant: 2007 PHA FY: 2011		
	Development Name/Number	**Major Work Categories**	Estimated Cost	**Development Name/Number**	**Major Work Categories**	**Estimated Cost**
See	**PHA Wide - Operations**		144,513.00	**PHA Wide - Operations**		137,908.00
Annual	Modernization Department Salaries	3	131,508.00	Modernization Department Salaries	3	125,497.00
Statement	Modernization Training		1,445.00	Modernization Training		1,379.00
	Agency Plan software, update	1	2,891.00	Agency Plan software, update	1	2,788.00
	Social Services		69,366.00	Social Services		66,197.00
	Staff Training		5,753.00	Staff Training		5,576.00
	Security and Support Salaries		210,990.00	Security and Support Salaries		201,256.00
	Sundry		11,560.00	Sundry		9,653.00
	Architectural Services		15,020.00	Architectural Services		1,000.00
	Audit		510.00	Audit		0.00
	Vehicles		32,021.00			
	Office Renovations		5,000.00	Vehicles		0.00
	Office Furniture & Equipment		1,158.00	Office Renovations		1,000.00
	Workstation Upgrades		20,838.00	Office Furniture & Equipment		1,000.00
	Demolition	1	3,613.00	Workstation Upgrades		10,000.00
				Demolition	1	0.00
	Ranges & Refrigerators	100	100,000.00	Ranges & Refrigerators	100	50,000.00
SUBTOTAL OF ESTIMATED COST:			$756,186.00	SUBTOTAL OF ESTIMATED COST:		$613,254.00
Total CFP Estimated Cost			$756,186.00	Total CFP Estimated Cost		$613,254.00

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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 2007 FFY of Grant Approval: 2007

☐ Revised Annual Statement Revision Number

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	0.00
2	1406 Operations	137,908.00
3	1408 Management Improvements	275,817.00
4	1410 Administration	137,908.00
5	1411 Audit	0.00
6	1415 Liquidated Damages	0.00
7	1430 Fees and Costs	1,000.00
8	1440 Site Acquisition	0.00
9	1450 Site Improvement	268,200.00
10	1460 Dwelling Structures	419,771.00
11	1465.1 Dwelling Equipment-Non-expendable	50,000.00
12	1470 Non-dwelling Structures	1,000.00
13	1475 Non-dwelling Equipment	86,484.00
14	1485 Demolition	0.00
15	1490 Replacement Reserve	0.00
16	1492 Moving to Work Demonstration	0.00
17	1495.1 Relocation Costs	1,000.00
18	1498 Mod Used for Development	0.00
19	1502 Contingency	0.00
20	**Amount of Annual Grant (Sum of lines 2-19)**	1,379,088.00
21	Amount of line 20 Related to LBP Activities	0.00
22	Amount of line 20 Related to Section 504 Compliance	0.00
23	Amount of line 20 Related to Security	0.00
24	Amount of line 20 Related to Energy Conservation Measures	0.00

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
PHA Wide	Operations	1406	137,908.00
	Administrative Support Salaries	1408	99,294.00
	Finance Department Support	1408	52,975.00
	MIS Department Support	1408	16,729.00
	Staff Training	1408	5,576.00
	User Software Upgrades	1408	2,788.00
	Security	1408	32,258.00
	Social Services Salaries	1408	66,197.00
	Mod Salaries & Benefits	1410	125,497.00
	Mod Training	1410	1,379.00
	Sundry	141019	11,032.00
	A & E Services	1430	1,000.00
	Gas Pipeline, Annual Contract	1450	10,000.00
	Pest Control	1460	14,471.00
	Ranges, Fridges, Boilers, Heat Pumps, Furnaces	1465.1	50,000.00
	Office Renovations	1470	1,000.00
	Office Furniture & Equipment	147501	1,000.00
	Workstation Upgrades	147504	85,484.00
	Relocation	1495	1,000.00
TOTALS:			$715,588.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-01 Kate Ross	**Site Improvements**		
	Phase 2 Parking Lot	1450	7,150.00
	Dwelling Structures		
	Replace tub and fixtures	1460	61,200.00
	Painting façade & stairwells	1460	53,500.00
TOTAL:			$121,850.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-03 Kate Ross	**Site Improvements** Phase 2 Parking Lot Repairs	1450	11,050.00
	Dwelling Structures Replace entry doors w/new hardware w/master key system	1460	25,000.00
	Replace tub and fixtures	1460	60,000.00
	Painting façade & stairwells	1460	31,500.00
TOTAL:			$127,550.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-04 Estella Maxey	**Site Improvements**		
	Phase 2 Parking Lot Repair	1450	2,600.00
	Gas isolation valves replacement	1450	138,800.00
	Dwelling Structures		
	Replace entry doors w/new hardware w/master key system	1460	40,000.00
	Roof Repair	1460	20,000.00
TOTAL:			$201,400.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-05 Estella Maxey	**Site Improvements**		
	Phase 2 Parking Lot Repair	1450	7,800.00
	Gas isolation valves replacement	1450	70,000.00
	Dwelling Structures		
	Replace entry doors w/new hardware w/master key system	1460	20,000.00
	Roof repair	1460	20,000.00
TOTAL:			$117,800.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-07 E. A. Flowers (Kate Ross)	**Site Improvements** Phase 2 Parking Lot Repair	1450	2,600.00
	Dwelling Structures Replace entry doors w/new hardware w/master key system	1460	7,500.00
	Replace ceramic tile & showers	1460	21,600.00
TOTAL:			$31,700.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-08 South Terrace	**Site Improvements** Phase 2 Parking Lot Repair	1450	11,050.00
	Dwelling Structures Replace entry doors w/new hardware w/master key system	1460	25,000.00
TOTAL:			$36,050.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
TX010-09 South Terrace	**Site Improvements** Phase 2 Parking Lot	1450	7,150.00
	Dwelling Structures Replace entry doors w/new hardware w/master key system	1460	20,000.00
TOTAL:			$27,150.00

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

form **HUD 50075** (03/2003)

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
PHA WIDE	09-30-2009	09-30-2010
TX010-001 KATE ROSS	09-30-2009	09-30-2010
TX010-003 KATE ROSS	09-30-2009	09-30-2010
TX010-004 ESTELLA MAXEY	09-30-2009	09-30-2010
TX010-005 ESTELLA MAXEY	09-30-2009	09-30-2010
TX010-007 KATE ROSS	09-30-2009	09-30-2010
TX010-008 SOUTH TERRACE	09-30-2009	09-30-2010
TX010-009 SOUTH TERRACE	09-30-2009	09-30-2010

Optional 5-Year Action Plan

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

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

b. If yes to question a, select one:

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

-or-

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

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

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

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

b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

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

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

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

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

8. Demolition and Disposition

[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: 1b. Development (project) number:
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:
5. Number of units affected: 0 6. Coverage of action (select one) ☐ Part of the development ☐ Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

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

[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: 1b. Development (project) number:
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)

5. Number of units affected:
6. Coverage of action: (select one)
☐ Part of the development
☐ Total development

B. Section 8 Tenant Based Assistance

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (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

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) Community Services (QWRHA)

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)
Family Self Sufficiency	102	Self Selection	PHA Main Office	Both
QWARHA	ongoing	Annual Re-cert	PHA Main Office	Public Housing
Earned Income Program	ongoing	Annual Re-cert	PHA Main Office	Public Housing
Elderly Services	250	na	All Sites	PH
Resident Services	na	na	All Sites	PH
Youth Services	125	na	All Sites	PH

Boys & Girls club	50	Random	South Terrace	PH
Teen Learning Labs	12	Specific Criteria	All Sites	PH
CCLC (Computer Labs)	300	Random	All Sites	PH

(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	47	30 (03/1/2007)
Section 8	53	55 (03/1/2007)

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)

All developments equally affected

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)

All developments equally affected

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)
All developments equally affected

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)

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

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

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

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

☐ Attached at Attachment (File name)
☒ Provided below:

Resident Council Advisory Meeting Synopsis
April 11th, 2007 3:00 p.m.

The meeting was opened at 3:05 p.m.

I. Welcome
Executive Director Gary Moore welcomed the members of the Committee. He expressed appreciation for their leadership and their help on our annual plan requirements. Members present were: Ruby Bridgewater and Tiesha Cavil of South Terrace, Glinda Christor and Mary Helen Gonzales of Kate Ross and Terronga Weaver and Latonya Lewis of Estella Maxey.

II. Update on Modernization Projects

Ellona Rodgers, Modernization Coordinator, updated the Committee on the present and future projects slated for the developments. The current projects within the last year have been the soffit replacement at South Terrace, the replacement of the maintenance shop at Estella Maxey and parking lots. Changes being planned for 2007 are additional parking lots, and new doors and locks at all sites.

III. Changes to the Section 8 Administrative Plan

Milet Hopping went over the changes of the Section 8 Administrative Plan. They included:

I.

Page 21 - Under **5.1 WAITING LIST ADMISSIONS AND SPECIAL ADMISSIONS**

Changing the wording of the first paragraph under 5.1

Previous wording:

5.1 WAITING LIST ADMISSIONS AND SPECIAL ADMISSIONS

WHA uses local preferences to determine the ranking of an applicant. These have been adopted by the Board of Commissioners specifically for this purpose. The preferences are aggregated to allow applicants with more than one preference to be admitted before applicants claiming no preferences are admitted. The preferences are not ranked; and each preference carries the same weight.

The Housing Authority may admit an applicant for participation in the program either as a special admission funds designated for HUD approved persons or as a waiting list admission.

If HUD awards funding that are targeted for families with specific characteristics or families living in specific units, the Waco Housing Authority will use the assistance for those families.

Current Wording

5.1 WAITING LIST ADMISSIONS AND SPECIAL ADMISSIONS

WHA uses local preferences to determine the ranking of an applicant. These have been adopted by the Board of Commissioners specifically for this purpose. The preferences are not ranked; and each preference carries the same weight.

The Housing Authority may admit an applicant for participation in the program either as a special admission funds designated for HUD approved persons or as a waiting list admission.

If HUD awards funding that are targeted for families with specific characteristics or families living in specific units, the Waco Housing Authority will use the assistance for those families.

II.

Page 29 Under **6.6 WACO HOUSING AUTHORITY DISAPPROVAL OF OWNER**

The Housing Authority will deny participation by an owner at the direction of HUD. The Housing Authority will also deny the owner's participation for any of the following reasons:

A. The owner has violated any obligations under a Section 8 Housing Assistance Payments Contract;

B. The owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;

C. The owner has engaged in drug-related criminal activity or any violent criminal activity;

D. The owner has a history or practice of non-compliance with HQS for units leased under Section 8 or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program;

E. The owner has a history or practice of renting units that fail to meet State or local codes;

F. The owner has not paid State or local real estate taxes, fines, or assessments;

G. The owner refuses (or has a history of refusing) to evict families for drug-related or violent criminal activity, or for activity that threatens the health, safety or right of peaceful enjoyment of the:

1. premises by tenants, Waco Housing Authority employees or owner employees; or

2. residences by neighbors;

H. If the owner is the parent, child, grandparent, grandchild, sister, or brother or any member of the family of an applicant seeking the initial use of a voucher (currently shopping) unless the Waco Housing Authority determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities; or

I. Other conflicts of interest under Federal, State, or local law.

Current Wording - Wording is the same as above with the addition of:
J Landlords who are verbal or physically abusive to a WHA employee.

III.
Page 54 Under **11.7** **DISTRIBUTION OF HOUSING ASSISTANCE PAYMENT**
Previous Wording:

The Housing Authority pays the owner the lesser of the housing assistance payment or the rent to owner. If payments are not made when due, the owner may charge the Waco Housing Authority a late payment, agreed to in the Contract and in accordance with generally accepted practices in the Waco jurisdiction if the following conditions apply:

It is the owner's practice to charge such penalties for assisted and unassisted tenants; and

The owner also charges such penalties against the tenant for late payment of family rent to the owner.

Late charges will not be paid when the reason for the lateness is attributable to factors beyond the control of the Waco Housing Authority

Current Wording

11.7 DISTRIBUTION OF HOUSING ASSISTANCE PAYMENT

The Housing Authority pays the owner (the lessor) of housing assisted property housing assistance payments (rent to owner) by the first of each month. Housing assistance payments are considered late to the owner if not postmarked by the fifth of the month. If payments are not made when due (the first through the fifth of each month), the owner may request of the Waco Housing Authority a one time late fee payment in the amount of $25.00. Late fees will not be paid when the reason for the lateness is attributable to factors beyond the control of the Waco Housing Authority such as weather, postal services or incorrect mailing address.

IV.

Page 93 - The addition of : **21.0 VIOLENCE AGAINST WOMEN'S ACT COMPLI**ANCE

21.0 Violence Against Women's Act Compliance

I. Admissions and Screening

A. Non – Denial of Assistance. WHA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. Admissions Preference – Applicants for housing assistance from WHA will receive a preference in admissions by virtue of their status as victims of domestic violence (dating violence, stalking).

C. Mitigation of Disqualifying Information. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, WHA may, but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. IF requested by an applicant to take such mitigating information into account, WHA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. WHA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

II. Termination of Tenancy or Assistance

A. VAWA Protections. Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by WHA:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serous 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 or assistance to the victim of that violence.
2. In addition to the foregoing, tenancy or assistance will not be terminated by WHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
   (a) Nothing contained in this paragraph shall limit any otherwise available authority of WHA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither WHA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence or stalking than that applied to the other tenants.
   (b) Nothing contained in this paragraph shall be construed to limit the authority of WHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or WHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, WHA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by WHA. Leases used for all public housing operated by WHA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by WHA, shall contain provisions setting forth the substance of this paragraph.

III. Verification of Domestic Violence, Dating Violence or Stalking

A. Requirement for Verification. The law allows, but does not require, WHA or a Section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph IV.C., WHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by WHA. Section 8 owners or managers receiving rental assistance administered by WHA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. HUD-approved form – by providing to WHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
2. Other documentation – by providing to WHA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
3. Police or court record – by providing to WHA or to the requesting Section 8 owner of manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. Time allowed to provide verification/failure to provide. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by WHA, or a Section 8 owner or manager to provide verification, must provide such verification

within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result I loss of protection under VAWA and this policy against a proposed adverse action.

C. Waiver of verification requirement. The Executive Director of WHA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver I any other case or cases, regardless of similarity in circumstances.

IV. Confidentiality

A. Right of confidentiality. All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to WHA or to a Section 8 owner or manager in connection with a verification required under Section IV of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:
   1. requested or consented to by the individual in writing, or
   2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
   3. otherwise required by applicable law.

B. Notification of rights. All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by WHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

V. Transfer to a New Residence

A. Application for transfer. In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, WHA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit on order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

B. Action on application. WHA will act upon such an application promptly within 14 days.

C. No right to transfer. WHA will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph VII, E. below, the decision to grant or refuse to grant a transfer shall lie within the sole discretion of WHA, and this policy does not create any right on the part of any applicant to be granted a transfer.

D. Family rent obligations. If a family occupying WHA public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by WHA. In cases where WHA determines that the family's decision to move was reasonable under the circumstances, WHA may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.

E. Portability. Notwithstanding the foregoing, a Section 8 assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12

months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

VI. Court Orders/Family Break-up

A. Court orders. It is WHA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by WHA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. Family break-up. Other WHA policies regarding family break-up are contained in WHA's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

VII. Relationships with Service Providers

It is the policy of WHA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If WHA staff become aware that an individual assisted by WHA is a victim of domestic violence, dating violence or stalking, WHA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring WHA either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case. WHA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which WHA has referral or other cooperative relationships.

VIII. Notification

WHA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and termination of tenancy or assistance.

IX. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementation shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

X. Amendment

This policy may be amended from time to time by WHA as approved by the WHA Board of Commissioners

IV. Changes to the Public Housing Admissions and Continued Occupancy Policy (ACOP)

Milet Hopping then went over the changes to the ACOP. They included:

I. Page17 - Under 9.2 ORGANIZATION OF THE WAITING LIST

Previous Wording

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

A. The application will be kept on file for a period of up to three years or until offer of occupancy or rejection;

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

C. Any contact between the Housing Authority of the City of Waco and the applicant will be documented in the applicant's file.

D. All preference claimed on full application will be verified at the time of orientation, applicants will be notified if eligible for preference.

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

A. The application will be kept on file for a period of up to three years or until offer of occupancy or rejection;

B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and preference have no weighted points.

E. Any contact between the Housing Authority of the City of Waco and the applicant will be documented in the applicant's file.

F. All preference claimed on full application will be verified at the time of orientation, applicants will be notified if eligible for preference.

II. Page 40 - Under 15.1 GENERAL

Previous Wording
The Housing Authority of the City of Waco will send a notification letter to the resident family, ninety (90) days prior to their annual reexamination, giving the resident family the option of selecting either the flat rent or the formula method, and scheduling an appointment if they are currently paying a formula rent. If the resident family thinks that they may want to switch from a flat rent to a formula rent, they must request an appointment. At the appointment, the resident family can make their final decision regarding which rent method they will choose. The letter also includes, for those resident families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the resident family to reschedule the interview, if necessary. The letter tells families who may need to make alternate arrangements due to a disability, that they may contact the Housing Authority of the City of Waco in order to request an accommodation for their need.

During the reexamination appointment, the Housing Authority of the City of Waco will determine whether the family composition may require a transfer to a different size unit. If so, the resident family's name will be placed on the transfer list.

Current Wording
The Housing Authority of the City of Waco will send a notification letter to the resident family, ninety (90) days prior to their annual reexamination, giving the resident family the option of selecting either the flat rent or the formula method, and scheduling an appointment if they are currently paying a formula rent. If the resident family thinks that they may want to switch from a flat rent to a formula rent, they must request an appointment. At the appointment, the resident family can make their final decision regarding which rent method they will choose. The letter includes instructions permitting the resident family to reschedule the interview, if necessary. The letter tells families who may need to make alternate arrangements due to a disability, that they may contact the Housing Authority of the City of Waco in order to request an accommodation for their need.

During the reexamination appointment, 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. The Housing Authority of the City of Waco will

determine whether the family composition may require a transfer to a different size unit. If so, the resident family's name will be placed on the transfer list. Upon receipt of verification, the Waco Housing Authority will determine the family's annual income and will calculate their rent.

III. Page 41 - 15.6 INTERIM REEXAMINATIONS

Previous Wording

During an interim reexamination, only the information affected by the change(s) being reported will be reviewed and verified.

Families will be required to report any increase in income or decreases in allowable expenses between annual reexaminations.

Families are required to report changes to the Housing Authority of the City of Waco between regular reexaminations. If the family's rent is being determined under the formula method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence.

In order to add a household member other than through birth or adoption, including a live-in aide, the family must request that the new member be added to the lease. Before adding a new member to the lease, the individual must complete an application form stating his/her income, assets, and all other information required of an applicant. The individual must provide his/her Social Security number if s/he has one and must verify his/her citizenship/eligible immigrant status. Housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family. The proposed family member will go through the screening process similar to the process for applicants. The Housing Authority of the City of Waco will determine the eligibility of the individual before adding him/her to the lease. If the individual is found to be ineligible or does not pass the screening criteria, s/he will be advised in writing and given the opportunity for an informal review.

If she/he passes the screening criteria, and is found to be eligible, his/her name will be added to the lease. 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. The effective date of the new rent will be in accordance with paragraph 15.5.

Families are not required to, but may at any time request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such a request, the Housing Authority of the City of Waco will take timely action to process the interim reexamination and recalculate the resident's rent.

Current Wording

During an interim reexamination, only the information affected by the change(s) being reported will be reviewed and verified.

Families will not be required to report any increase in income or decreases in allowable expenses between annual reexaminations.

Families are required to report the following changes to the Waco Housing Authority between regular reexaminations. These changes will trigger an interim reexamination.

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

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

C. Increase in earned income from the employment of a current family member

In order to add a household member other than through birth or adoption, including a live-in aide, the family must request that the new member be added to the lease. Before adding a new member to the lease, resident must complete request for additional household member, they must provide his/her income, assets, social security number if s/he has one, verify citizenship/eligible immigrant status and all other information required of an applicant. Housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family. The proposed family member will go through the screening process similar to the process for applicants. The Housing Authority of the City of Waco will determine the eligibility of the individual before adding him/her to the lease. If the individual is found to be ineligible or does not pass the screening criteria, s/he will be advised in writing and given the opportunity for an informal review.

If s/he passes the screening criteria, and is found to be eligible, his/her name will be added to the lease. 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. The effective date of the new rent will be in accordance with paragraph 15.5.

Families are not required to, but may at any time request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such a request, the Housing Authority of the City of Waco will take timely action to process the interim reexamination and recalculate the resident's rent.

IV. Page 57 - The addition of : 20.0 VIOLENCE AGAINST WOMEN'S ACT COMPLIANCE

I. Admissions and Screening

A. Non – Denial of Assistance. WHA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. Admissions Preference – Applicants for housing assistance from WHA will receive a preference in admissions by virtue of their status as victims of domestic violence (dating violence, stalking).

C. Mitigation of Disqualifying Information. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, WHA may, but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. IF requested by an applicant to take such mitigating information into account, WHA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. WHA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

II. Termination of Tenancy or Assistance

A. VAWA Protections. Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by WHA:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serous 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 or assistance to the victim of that violence.

2. In addition to the foregoing, tenancy or assistance will not be terminated by WHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
   (a) Nothing contained in this paragraph shall limit any otherwise available authority of WHA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither WHA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence or stalking than that applied to the other tenants.
   (b) Nothing contained in this paragraph shall be construed to limit the authority of WHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or WHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, WHA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by WHA. Leases used for all public housing operated by WHA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by WHA, shall contain provisions setting forth the substance of this paragraph.

III. Verification of Domestic Violence, Dating Violence or Stalking

Requirement for Verification. The law allows, but does not require, WHA or a Section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph IV.C., WHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by WHA. Section 8 owners or managers receiving rental assistance administered by WHA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

HUD-approved form – by providing to WHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.

Other documentation – by providing to WHA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of they applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

Police or court record – by providing to WHA or to the requesting Section 8 owner of manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

Time allowed to provide verification/failure to provide. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by WHA, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result I loss of protection under VAWA and this policy against a proposed adverse action.

Waiver of verification requirement. The Executive Director of WHA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver I any other case or cases, regardless of similarity in circumstances.

IV. Confidentiality

A. Right of confidentiality. All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to WHA or to a Section 8 owner or manager in connection with a verification required under Section IV of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

requested or consented to by the individual in writing, or

required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or

otherwise required by applicable law.

B. Notification of rights. All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by WHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

V. Transfer to a New Residence

a. Application for transfer. In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, WHA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit on order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.
b. Action on application. WHA will act upon such an application promptly within 14 days.
c. No right to transfer. WHA will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph VII, E. below, the decision to grant or refuse to grant a transfer shall lie within the sole discretion of WHA, and this policy does not create any right on the part of any applicant to be granted a transfer.
d. Family rent obligations. If a family occupying WHA public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by WHA. In cases where WHA determines that the family's decision to move was reasonable under the circumstances, WHA may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.
e. Portability. Notwithstanding the foregoing, a Section 8 assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

VI. Court Orders/Family Break-up

a. Court orders. It is WHA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by WHA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.
b. Family break-up. Other WHA policies regarding family break-up are contained in WHA's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

VII. Relationships with Service Providers

It is the policy of WHA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If WHA staff become aware that an individual assisted by WHA is a victim of domestic violence, dating violence or stalking, WHA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring WHA either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case. WHA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which WHA has referral or other cooperative relationships.

VIII. Notification

WHA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and termination of tenancy or assistance.

IX. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementation shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

X. Amendment

This policy may be amended from time to time by WHA as approved by the WHA Board of Commissioners

After discussion of these changes, Ms. Hopping asked the residents if there was any questions or discussion on any of the proposed changes.

V. Comments

The residents commented that the changes seemed to be good changes and would help make things better. They saw no problems or objections to the changes. They appreciated the updates on the projects planned for the developments. There were no further comments.

The meeting adjourned at 4:15 p.m.

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

Pursuant to Texas Local Government Code, Chapter 392 Section 031, Board of Commissioners members are appointed by the presiding member of the local municipality (the Mayor in most cases). Also, pursuant to Section 0331 of the same chapter, boards with five members must contain one member, which is a resident of a public housing development. Ms. Alice James, resident of Kate Ross Apartments,

currently holds the resident position for Board of Commissioners for the Housing Authority of the City of Waco. Her current term of service will expire February 28, 2008.

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)

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)

At risk youth, elderly services, home ownership, education

☐ Other: (list below)

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

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 A: Admissions and Continued Occupancy Policy (ACOP)

Attachment B: Administrative Plan Section 8 Program (Admin Plan)

ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)

REVISED
April 10, 2007

form **HUD 50075** (03/2003)

ACOP TABLE OF CONTENTS

1.0 FAIR HOUSING 116
2.0 REASONABLE ACCOMMODATION 24CFR 100.204 116
2.1 COMMUNICATION (CFR 100.60) 117
2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION 117
3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS 118
4.0 FAMILY OUTREACH 119
5.0 RIGHT TO PRIVACY 119
5.1 FRAUD POLICY 119
6.0 REQUIRED POSTINGS 119
7.0 APPLICATION PROCESS 120
7.1 SCHEDULING APPOINTMENTS 121
7.2 RE-SCHEDULING APPOINTMENTS 122
7.3 MISSED APPOINTMENTS 122
8.0 ELIGIBILITY FOR ADMISSION 122
8.1 INTRODUCTION 122
8.2 ELIGIBILITY CRITERIA 122
8.3 GROUNDS FOR DENIAL 126
8.4 INFORMAL REVIEW/HEARING 127
9.0 MANAGING THE WAITING LIST 128
9.1 OPENING AND CLOSING THE WAITING LIST 128
9.2 ORGANIZATION OF THE WAITING LIST 128
9.3 PURGING THE WAITING LIST 129
9.4 REMOVAL OF APPLICANTS FROM THE WAITING LIST 129
9.5 NOTIFICATION OF NEGATIVE ACTIONS 129
10.0 TENANT SELECTION AND ASSIGNMENT PLAN 130
10.1 PREFERENCES 130
10.2 OCCUPANCY STANDARD 131
10.3 SELECTION FROM THE WAITING LIST 132
10.4 OFFER OF A UNIT 132
10.5 REJECTION OF UNIT 133
10.6 ACCEPTANCE OF A UNIT 133
11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME 134
11.1 INCOME 134
11.2 EXCLUSIONS FROM ANNUAL INCOME 135
11.3 DEDUCTIONS FROM ANNUAL INCOME 139
12.0 VERIFICATION 140
12.1ACCEPTABLE METHODS OF VERIFICATION 140
12.2 TYPES OF VERIFICATION 141
12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NON-CITIZEN STATUS 143
12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS 24 CFR 5.216 144
12.5 TIMING OF VERIFICATION 144
12.6 FREQUENCY OF OBTAINING VERIFICATION 144

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT.....145
13.1 FAMILY CHOICE.....145
13.2 THE FORMULA METHOD.....145
13.3 MINIMUM RENT.....146
13.4 THE FLAT RENT.....147
13.5 RENT FOR FAMILIES UNDER THE NON-CITIZEN RULE.....147
13.6 UTILITY ALLOWANCE.....148
13.7 PAYING RENT.....149
13.8 REPAYMENT AGREEMENT.....150
14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE.....150
14.1 GENERAL.....150
14.2 EXEMPTIONS.....150
14.3 NOTIFICATION OF THE REQUIREMENT.....151
14.4 VOLUNTEER OPPORTUNITIES.....151
14.5 THE PROCESS.....152
14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT.....152
14.7 OPPORTUNITY FOR CURE.....152
15.0 RECERTIFICATION/REEXAMINATION.....153
15.1 GENERAL.....153
15.2 MISSED APPOINTMENTS.....154
15.3 FLAT RENTS.....154
15.4 THE FORMULA METHOD.....155
15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATION155
15.6 INTERIM REEXAMINATIONS.....156
15.7 SPECIAL REEXAMINATIONS.....157
15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS.....157
16.0 UNIT TRANSFERS.....157
16.1 OBJECTIVES OF THE TRANSFER POLICY.....158
16.2 CATEGORIES OF TRANSFERS.....158
16.3 DOCUMENTATION.....159
16.4 PROCESSING TRANSFERS.....159
16.5 COST OF THE FAMILY'S MOVE.....160
16.6 TENANTS IN GOOD STANDING.....160
16.7 TRANSFER REQUESTS..... Error! Bookmark not defined.
16.8 RIGHT OF THE HOUSING AUTHORITY OF THE CITY OF WACO REGARDING TRANSFER POLICY.....160
17.0 INSPECTIONS.....161
17.1 NOTICE OF INSPECTION.....161
17.2 MOVE-IN INSPECTION.....161
17.3 ANNUAL/HOUSEKEEPING INSPECTION.....161
17.4 UNIFORM PROPERTY CONDITION STANDARDS (UPCS)/PREVENTIVE MAINTENANCE INSPECTION…..... 161
17.5 SPECIAL INSPECTION.....161
17.6 EMERGENCY INSPECTION.....162

17.7 PRE MOVE-OUT INSPECTION....162
17.8 MOVE-OUT INSPECTION....162
18.0 TERMINATION....162
18.1 TERMINATION BY RESIDENT....162
18.2 TERMINATION BY THE HOUSING AUTHORITY OF THE CITY OF WACO162
18.3 ABANDONMENT....164
18.4 RETURN OF SECURITY DEPOSIT....164
19.0 PET POLICY....164
19.1 PURPOSE....164
19.2 APPLICABILITY....165
19.3 EXEMPTIONS....165
19.4 EXCEPTIONS....165
19.5 PET DEPOSIT....165
19.6 PET FEE....165
19.7 ACCEPTABLE HOUSEHOLD PET....165
19.8 PET SIZE LIMIT....166
19.9 INOCULATIONS AND LICENSES....166
19.10 NUISANCE AND/OR THREAT TO PUBLIC HEALTH OR SAFETY....166
19.11 LIABILITY FOR DAMAGES, INJURY....166
19.12 VIOLATIONS....166
19.13 PRIOR APPROVAL....166
19.14 IMPLEMENTING PROCEDURES....166
19.15 STATE LAW AND LOCAL ORDINANCE....167
19.16 PET RULES....167
19.0 (B) PET POLICIES - ELDERLY OR DISABLED....168
19.1(B) PURPOSE....168
19.2(B) APPLICABILITY....168
19.3(B) EXEMPTIONS....168
19.4 (B)PET DEPOSITS....168
19.5(B) ACCEPTABLE HOUSEHOLD PET....169
19.6(B) PET SIZE LIMIT....169
19.7(B) INOCULATIONS AND LICENSES....169
19.8 (B) NUISANCES AND/OR THREAT TO PUBLIC HEALTH OR SAFETY....169
19.9 (B) LIABILITIES FOR DAMAGES, INJURY....169
19.10(B) VIOLATIONS....169
19.11(B) PRIOR APPROVALS....169
19.12(B) IMPLEMENTING PROCEDURES....170
19.13(B) STATE AND LOCAL ORDINANCE....170
19.14(B) PET RULES....170
20.0 Violence Against Women's Act Compliance 56

GLOSSARY....61
ACRONYMS....182

form **HUD 50075** (03/2003)

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

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

1.0 FAIR HOUSING
(AMENDS TITLE VIII OF CIVIL RIGHTS ACT OF 1968) 24CFR 100.5

It is the policy of the Housing Authority of the City of Waco to fully comply with all Federal, State and local non-discrimination laws, the Americans with Disabilities Act, and the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

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

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

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

2.0 REASONABLE ACCOMMODATION 24CFR 100.204

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Housing Authority of the City of Waco's housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to the person in a way that would otherwise not be possible due to his/her disability. This policy clarifies how

people can request accommodations and the guidelines the Housing Authority of the City of Waco will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the Housing Authority of the City of Waco will ensure that all applicants/residents are aware of the opportunity to request reasonable accommodation.

2.1 COMMUNICATION (CFR 100.60)

Anyone requesting an application will also receive a Request for Reasonable Accommodation form. Notification of reexamination will include information about requesting a reasonable accommodation.

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

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

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

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

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

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

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

1. Would the accommodation constitute a fundamental alteration? The Housing Authority of the City of Waco's business is housing. If the request would alter the fundamental business that the Housing Authority of the City of Waco conducts, that would not

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be reasonable. For instance, the Housing Authority of the City of Waco would deny a request to have the Housing Authority of the City of Waco do grocery shopping for a person with disabilities.

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

D. Generally the individual knows best what it is they need. However, the Housing Authority of the City of Waco retains the right to be shown how the requested accommodation enables the individual to access or use the Housing Authority of the City of Waco's programs or services.

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

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

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

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

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

The Housing Authority of the City of Waco will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families. The following languages shall be covered:

The Waco Housing Authority has bilingual staff to assist those who speak a derivative of the Spanish language. All applicants are encouraged to bring an

English speaking relative or friend to assist the applicant in completing any documents, or understanding any information presented.

The Housing Authority of the City of Waco maintains a list of non-profit agencies that may assist as interpreters for other languages.

4.0 FAMILY OUTREACH

The Housing Authority of the City of Waco will publicize the availability and nature of its public housing program for extremely low-income, very low and low-income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach people who cannot or do not read the newspapers, the Housing Authority of the City of Waco will distribute fact sheets to initiate personal contacts with members of the community service personnel. The Housing Authority of the City of Waco will also try to utilize public service announcements.

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

5.0 RIGHT TO PRIVACY

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

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

5.1 FRAUD POLICY

The Housing Authority of the City of Waco will reject any application for housing or terminate a resident lease if it is determined that the applicant/resident misrepresented any information related to eligibility, award of any preference for admission, housing/rental history, allowance, family composition or rent at time of application or at annual recertification. Residents that commit fraud in the amount of $2500.00 or more will be subject to termination and prosecution.

6.0 REQUIRED POSTINGS

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

A. Statement of Policies and Procedures Governing Admission and Continued Occupancy (available upon request)

B. Notice of the status of the Waiting List (opened or closed)

C. A listing of all developments by name, address, number of units, units designed with special accommodations, address of all development offices, office hours, telephone numbers, TDD numbers, and resident facilities and hours of operation

D. Income limits for admission

E. Excess utility charges

F. Utility allowance schedule

G. Current schedule of routine Maintenance Charges

H. Dwelling Lease

I Grievance Procedure

J. Fair Housing Poster

K. Equal Opportunity in Employment Poster

L. Any current Housing Authority of the City of Waco notices

M. Any other information as may be required by Federal, State and local law

7.0 APPLICATION PROCESS

(A) Families wishing to apply for the public housing program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at:

4400 Cobbs Drive
Monday - Friday
8:30 a.m. 4:30 p.m. (Except Holidays)

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

(C) Completed applications will be accepted for all applicants and the Housing Authority of the City of Waco will verify the information.

(D) Applications will be mailed to interested families upon request.

(E) The completed application will be dated and time stamped upon its return to the Housing Authority of the City of Waco.

(F) Persons with disabilities who require a reasonable accommodation in completing an application may call the Housing Authority of the City of Waco to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is **800-545-1833, Extension 306**.

(G) The application process will involve one phase. The application for housing assistance requires the family to provide basic information to establish placement on the waiting list.

(H) Upon receipt of the family's full application, the Housing Authority of the City of Waco will make a preliminary determination of eligibility. The Housing Authority of the City of Waco will notify the family in writing of the date and time of placement on the waiting list, and the approximate waiting period before housing may be offered. If the Housing Authority of the City of Waco determines the family to be ineligible, the notice will state the reason(s) for the ineligibility, and the Housing Authority of the City of Waco will offer the family the opportunity for an informal review of the determination.

(I) The applicant must report changes in their applicant status, including changes in family composition, income, or preference factors. The Housing Authority of the City Waco will annotate the applicant's file and will update their place on the waiting list.

(J) The completion of a full application takes place when the family is scheduled for orientation. The Housing Authority of the City of Waco will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's final eligibility for admission into the public housing program.

7.1 SCHEDULING APPOINTMENTS

All applicants will be notified in writing, of their orientation/interview appointment date and time, in order to complete the application process.

The head of household and all adult family members are required to attend the orientation/interview for eligibility. The head of household and all adult family members must sign the appropriate consent and application forms at the time of the orientation/interview.

7.2 RE-SCHEDULING APPOINTMENTS

The applicant may re-schedule the orientation/interview appointment for good cause, providing the family contacts the Housing Authority of the City of Waco at least 24 hours prior to the scheduled orientation/interview date and time.

The applicant may not re-schedule an appointment more than two (2) times, except under verifiable, extraordinary circumstances. In such case, the Housing Authority of the City of Waco will work closely with the applicant family to find a suitable time to meet. The Housing Authority of the City of Waco will assist any applicant who may request reasonable accommodation due to a disability.

7.3 MISSED APPOINTMENTS

The name of any applicant who fails to keep a scheduled appointment, and fails to notify the Housing Authority of the City of Waco and re-schedule an appointment /orientation within 72 hours will be sent a notice of termination of the process for eligibility and his/her name will be removed from the waiting list.

The name of any applicant will be removed from the waiting list if his/her appointment letter is returned to the Housing Authority of the City of Waco by the U.S. Postal Service as “Undeliverable” or “Addressee Unknown”.

Written notification to the applicant that his/her name is being removed from the waiting list will also inform the applicant of his/her right to request an informal review.

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

There are five (5) eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, a family must also meet the Housing Authority of the City of Waco screening criteria in order to be admitted to public housing.

8.2 ELIGIBILITY CRITERIA

A. Family status

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.

   a. Children temporarily absent from the home due to placement in foster care are considered family members.

   b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size, but are not considered family members for determining income limit.

2. An **elderly family**, which is:

   a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;

   b. Two or more persons who are at least 62 years of age living together; or

   c. One or more persons who are at least 62 years of age living with one or more live-in aides.

3. A **near-elderly family**, which is:

   a. 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;

   b. Two or more persons who are at least 50 years of age, but below the age of 62, living together; or

   c. 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

4. A **disabled family**, which is:

   a. A family whose head, spouse, or sole member is a person with disabilities;

   b. Two or more persons with disabilities living together; or

   c. One or more persons with disabilities living with one or more live-in aides.

5. A **displaced family**, which is a family in which each member, or whose sole member has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a

result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

6. A **remaining member of a resident family** who is a member of a public housing family listed on the lease who continues to live in the public housing dwelling after all other family members have left the dwelling.

7. A **single person** who is not an elderly or displaced person, a person with disabilities, nor the remaining member of a tenant family.

B. Income Eligibility

1. To be eligible for Public Housing, an applicant must have an annual income that is no more than the "Lower Income" limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.

2. To be eligible for admission to development units that were available on or after 1981, the family's income must be within the very low-income limit set by HUD, unless HUD grants an exception. This means that without a HUD exception, the family income cannot exceed 50 percent of the median income for the area.

3. Income limits apply at admission and are applicable for continued occupancy. 24 CFR 960.261

4. A family may not be admitted to the public housing program from another assisted housing program or from a public housing program operated by another housing authority without meeting the income requirements of the Housing Authority of the City of Waco.

5. If the Housing Authority of the City of Waco acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.

6. Income limit restrictions do not apply to families transferring within the public housing program of the Housing Authority of the City of Waco.

C. Citizenship/Eligibility Status

1. To be eligible each member of the family must be a citizen, national, or a non-citizen who has eligible immigration status

under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 143a(a)).

2. Family eligibility for assistance:

   a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.

      1. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance.

      2. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

3. Social Security Number Documentation 24 CFR 5.216

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

D. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.

2. The consent form must contain, at a minimum, the following:

   A. A provision authorizing HUD or the Housing Authority of the City of Waco to verify with previous or current employers income information pertinent to the family's eligibility for, or level of assistance;

   B. A provision authorizing HUD to request income verification from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and

   C. A statement that the authorization to release the information requested in the consent form expires 15 months after the date the consent form is signed.

8.3 GROUNDS FOR DENIAL

The Housing Authority of the City of Waco is not required or obligated to assist applicants who:

A. Do not meet any one or more of the eligibility criteria;

B. Do not supply information or documentation required by the application process;

C. Have failed to respond to two (2) written requests for information within 45 days, or a request to declare their continued interest in the program within a specified deadline.

D. Have a history of not meeting rent obligations.

E. Do not have the ability to maintain their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants.

F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property, and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other residents or staff, or cause damage to the property;

G. Have a history of disturbing neighbors or destruction of property;

H. Currently owes rent or other charges to any public housing authority, any other assisted housing program, or private property owners;

I. Have committed fraud, bribery or any other corruption in connection with any housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;

J. Were evicted from any assisted housing within three (3) years of the projected date of admission because of drug-related criminal activity involving personal use, or possession for personal use;

K. Were evicted from any assisted housing within five (5) years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, or distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;

L. Have a prior record of illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to

peaceful enjoyment of the premises by other residents. The Housing Authority of the City of Waco may waive this requirement if:

1. The applicant demonstrates to the Housing Authority of the City of Waco's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;

2. The applicant has successfully completed a supervised drug or alcohol rehabilitation program;

3. The applicant has otherwise been rehabilitated successfully, or

4. The applicant is participating in a supervised drug or alcohol rehabilitation program.

M. Have engaged in or threatened abusive or violent behavior toward any Housing Authority of the City of Waco resident(s), personnel, contractor, or approved worker;

N. Have a household member who has ever been evicted from public housing;

O. Have a household member who has been terminated under the Certificate of Voucher Program due to violation of family obligations;

P. **Denied for Life**: If any family member has been convicted of manufacturing or producing methamphetamine in a public housing development or in any other federally assisted property;

Q. **Denied for Life**: Has a lifetime registration under a State sex offender registration program.

The Housing Authority may use the following verifications for criminal history background, local police department, TX.DOT (Texas Department of Public Safety, Tenant Tracker or any other available access to criminal background history. Criminal reports for eligibility and informal hearings will be discarded after review.

8.4 INFORMAL REVIEW/HEARING

A. If the Housing Authority of the City of Waco determines that an applicant does not meet the criteria for receiving public housing assistance, the Housing Authority of the City of Waco will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and that the

applicant may request, in writing, an informal review of the decision within ten (10) calendar days of the date of the denial correspondence.

The informal review may be conducted by the Director of Housing Operations or Assistant Director of Public Housing. The applicant must be given the opportunity to present written or oral objections to the Housing Authority of the City of Waco's decision. The Housing Authority of the City of Waco must notify the applicant of the final decision within ten (10) calendar days after the informal review, including a brief statement of the reason(s) for the final decision.

B. A participating family may request, in writing, that the Housing Authority of the City of Waco provide for an informal hearing after the family has received notification of an INS decision regarding their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within thirty (30) days of receipt of the Notice of Denial or Termination of Assistance, or within thirty (30) days of receipt of the INS appeal decision.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

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

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

Closing the waiting list will also be announced with a public notice. The public notice will be published in a local newspaper of general circulation, and also by any available minority media.

9.2 ORGANIZATION OF THE WAITING LIST

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

A. The application will be kept on file for a period of up to three years or until offer of occupancy or rejection;

B. All applications will be maintained in order of bedroom size, preference, and then in order of date and time of application; and preference have no weighted points.

G. Any contact between the Housing Authority of the City of Waco and the applicant will be documented in the applicant's file.

H. All preference claimed on full application will be verified at the time of orientation, applicants will be notified if eligible for preference.

9.3 PURGING THE WAITING LIST

The Housing Authority of the City of Waco will update and purge its waiting list every ninety (90) days from date of application to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Authority of the City of Waco has current information, i.e., applicant's address, family composition, income category, and preferences.

9.4 REMOVAL OF APPLICANTS FROM THE WAITING LIST

The Housing Authority of the City of Waco 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 fails to respond to a written request for information or a request to declare their continued interest in the program within ten (10) calendar days;

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

D. The applicant has committed fraud on the application.

9.5 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the Housing Authority of the City of Waco, in writing, that they will have ten (10) calendar days from the date of the written correspondence to request an informal review and present mitigating circumstances. The letter will also indicate that their name has been removed from the waiting list.

The Housing Authority of the City of Waco's system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Housing Authority of the City of Waco

will verify that there is in fact a disability, that the disability caused the failure of the applicant to respond, and the Housing Authority of the City of Waco will provide reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The Housing Authority of the City of Waco will select families based on the following preferences within each bedroom size category:

A. Veteran

B. Employment

C. Elderly

D. Disabled and Handicapped (Head of Household)

E. Job Training/School

F. Domestic Violence

G. Federal Preference (person (s) displaced by a federally declared disaster.)

The date and time of application will be noted to determine the sequence within the above local preferences. Federal preference precedes all other preferences.

Notwithstanding the above, families who are elderly or disabled will be offered housing before other single persons.

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 waiting list, preference will then be given to near-elderly families. All such families will be selected from the waiting list using the preferences as outlined above.

Accessible Units: Accessible units will be offered first to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants however, must sign a waiver stating that they will transfer to a suitable unit at their own expense, if in the future a family requiring an accessible unit

needs their unit. Any family required to transfer under this condition will be given a 30-day notice.

10.2 OCCUPANCY STANDARD

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

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

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero (0) bedroom units will be assigned to one-person families only.

In determining bedroom size, the Housing Authority of the City of Waco will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, or children who are temporarily in foster-care.

In addition, the following considerations may be taken in determining bedroom size:

A. Children of the same sex may share a bedroom.

B. Children of the opposite sex under the age of two (2) may share a bedroom.

C. An adult and a child, two (2) years old or younger, may be required to share a bedroom.

D. Foster adults and/or foster children will not be required to share a bedroom with a family member.

E. Live-in aides will get a separate bedroom.

F. Person of different generation, persons of the opposite sex other than spouse, and unrelated adults may have separate rooms.

Exceptions to normal bedroom size standards include the following:

A. Units smaller than assigned through the above guidelines - A family may request a smaller size unit than the guidelines allow. The Housing Authority of the City of Waco will allow the smaller size unit so long as no more than two (2) people per bedroom are assigned. In such situations the family will sign a certification stating that they understand they will be ineligible for a larger size unit for one (1) year or until the family size changes, whichever occurs first.

B. Units larger than assigned through the above guidelines - A family may request a larger size unit than the guidelines allow. The Housing Authority of the City of Waco will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.

C. If there are no families on the waiting list for a larger size unit, families may be housed if they sign a waiver stating that they will transfer to an appropriately size unit at their own expense when an eligible family qualifies for the larger unit. Any family required to transfer under this condition will be given a 30-day notice.

D. Larger units may be assigned in order to improve the marketing of a development suffering a high vacancy rate.

10.3 SELECTION FROM THE WAITING LIST

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

If there are not enough extremely low-income families on the waiting list, the Housing Authority of the City of Waco will conduct outreach on a non-discriminatory basis to attract extremely low-income families in order to reach the statutory requirement.

10.4 OFFER OF A UNIT

When the Housing Authority of the City of Waco determines that a unit will become available, it will contact the first family on the waiting list who has the highest priority for the type of unit.

The Housing Authority of the City of Waco will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be

given five (5) business days from the date the letter was mailed to contact the Housing Authority of the City of Waco regarding the offer.

The family will be offered the opportunity to view the unit after a move-in letter is issued. After the opportunity to view the unit, the family may either accept or reject the unit. This verbal or written offer and the family's decision must be documented in the applicant file. If the family rejects the offer of the unit, the Housing Authority of the City of Waco will send the family a letter documenting the offer and the rejection.

10.5 REJECTION OF UNIT

1. The eligible applicant must accept the vacancy offered or be moved to the bottom of the waiting list.

2. The applicant shall be offered a unit at the location where the unit has remained vacant the longest, if s/he rejects the unit without good cause, the applicant will forfeit their applications date and time. The applicant will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

3. If an applicant rejects, with good cause, a unit offered, the applicant will not lose his/her place on the waiting list. Good cause includes, but is not limited to, reasons related to health, proximity to work, school and childcare. The applicant family will be offered the right to an informal review of any decision to alter their application status.

10.6 ACCEPTANCE OF A UNIT

The family will be required to sign a lease that will become effective immediately the day it is signed.

Following initial acceptance for occupancy and at the signing of the lease, all adult family members will be required to attend a Lease and Occupancy Orientation with management staff. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend the orientation, without good cause, may result in the cancellation of the occupancy process.

At the Lease and Occupancy Orientation, the applicant family will be provided a copy of the Lease, the Grievance Procedure, utility allowances, utility charges, a current schedule of routine maintenance charges, Request for Reasonable Accommodation form and Smoke Detector form. These documents will be explained in detail. The applicant family will sign a lease that it has received the documents and that it has reviewed them with Housing Authority of the City of Waco personnel. The lease will be filed in the applicant/resident file.

The family will pay rent due and Security Deposit at the time of lease signing. The Security Deposit will be $150.00 or $100.00. In exceptional situations, the Housing Authority of the City of Waco reserves the right to allow a new resident to pay the Security Deposit in two (2) payments. One-half shall be paid at the time of rental, and one-half with the second rent payment. This practice shall be at the discretion of the Housing Authority of the City of Waco.

In the case of a move within public housing, the Security Deposit for the first unit will be transferred to the second unit.

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

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

To determine annual income, the Housing Authority of the City of Waco includes the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the Housing Authority of the City of Waco deducts all allowable deductions to determine the Total Tenant Payment.

11.1 INCOME

Annual income means all amounts, monetary or not, that:

A. Go to, or on behalf of, the family head or spouse (even if temporarily absent) or any other family member; or

B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

C. Are not specifically excluded from annual income.

Annual income includes, but is not limited to:

A. The gross amount, i.e., before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.

B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not 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 IRS regulations. Any withdrawal of cash assets from the operation of a business or profession is included in income, except to the extent the

withdrawal is a reimbursement of cash or assets invested in the operation by the family.

C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not 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 IRS regulations. Any withdrawal of cash or assets from an investment is 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 includes 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. WHA has specified a minimum threshold of $1000.00 for counting assets disposed of for less than fair market value. The Housing Authority will use an average of six(6) months to determine asset of checking and savings.

D. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. However, deferred periodic amounts from SSI and SS benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.

E. Payments in lieu of earnings, such as unemployment and disability compensation, Workers' Compensation, and severance pay. However, lump sum additions such as insurance payments from Workers' Compensation are excluded.

F. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions, or gifts received from organizations or from persons not residing in the dwelling.

G. All regular pay, special pay, and allowances of a member of the Armed Forces. Special pay to a member exposed to hostile fire is excluded.

11.2 EXCLUSIONS FROM ANNUAL INCOME

Annual Income does not include the following:

A. Income from employment of children, including foster children, under the age of 18 years.

B. Payments received for the care of foster children or foster adults, usually persons with disabilities, unrelated to the tenant family, who are unable to live alone.

C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and Workers' Compensation), capital gains, and settlement for personal or property losses.

D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.

E. Income of a live-in aide.

F. The full amount of student financial assistance paid directly to the student or to the educational institution.

G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

H. The amounts received from the following programs:

1. Amounts received under training programs funded by HUD;

2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

3. Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement for out-of-pocket expenses incurred (special equipment, clothing, child care, transportation, etc.) and that are made solely to allow participation in a specific program;

4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the Housing Authority of the City of Waco, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiative coordination. No resident may receive more than one such stipend during the same period of time;

5. 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. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during

which the family member participates in the employment training program;

6. Temporary, nonrecurring or sporadic income, including gifts and ;

7. 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;

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

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

10. For family members who enrolled in certain training programs prior to 10/01/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State or local law during the exclusion period. For purposes of this exclusion the following definitions apply:

    a. Comparable Federal, State or local law means a program providing employment training and supportive services that:

        i. Is authorized by a Federal, State or local law;
        ii. Is funded by the Federal, State or local government;
        iii. Is operated or administered by a public agency; and
        iv. Has as its objective to assist participants in acquiring employment skills.

    b. Exclusion period means 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 by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment for good cause, the exclusion period shall end.

    c. Earnings and benefits mean the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job;

11. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. This exclusion will not apply for any family who concurrently is eligible for

exclusion #10, immediately above. Additionally, this exclusion is only available to the following families:

a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.

b. Families whose income increases during the participation of a family member in any family self-sufficiency program.

c. Families who are or were, within 6 months, assisted under a State TANF program.

(While HUD regulations allow for a housing authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of the Housing Authority of the City of Waco to provide the exclusion in all cases.);

12. Deferred periodic amounts from SSI and SS benefits that are received in a lump sum amount or in prospective monthly amounts;

13. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

15. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:

a. The value of the allotment of food stamps

b. Payments to volunteers under the Domestic Volunteer Services Act of 1973

c. Payments received under the Alaska Native Claims Settlement Act

d. Income from sub-marginal land of the U.S. that is held in trusts for certain Indian tribes

e. Payments made under the HHS's Low-Income Energy

Assistance Program

f. Payments received under the Job Training Partnership Act

g. Income from the disposition of funds of the Grand River Band of Ottawa Indians

h. The first $2,000 per capita received from judgment funds awarded for certain Indian claims

i. Amount of scholarships awarded under Title IV including Work-Study

j. Payments received under the Older Americans Act of 1965

k. Payments from Agent Orange Settlement

l. Payments received under the Maine Indian Claims Act

m. The value of child care under the Child Care and Development Block Grant Act of 1990

n. Earned income tax credit refund payments

o. Payments for living expenses under the Americorps Program

p. Additional income exclusions provided by and funded by the Housing Authority of the City of Waco

The Housing Authority of the City of Waco will not provide exclusions from income in addition to those already provided for by HUD.

11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

A. $480 for each dependent;

B. $400 for any elderly family or disabled family;

C. For any family that is not elderly or disabled, but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 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 the person with disabilities.

D. For any elderly or disabled family:

1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;

2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with Paragraph C, plus an allowance for medical expenses that equal the family's medical expenses; or

3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.

E. Reasonable child care expenses necessary to enable a member to be employed or to further his/her education, including the care of foster-children, age 12 and younger. In the case of childcare necessary to permit employment or education, the amount may not exceed half of annual income. In the event childcare is provided by unlicensed agency, the Housing Authority will require verification of payment (ie, Income tax return or other notarized documentation.

12.0 VERIFICATION

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

12.1 ACCEPTABLE METHODS OF VERIFICATION

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

Other information will be verified by third party verification. This type of verification includes written documentation, with forms sent directly to and received directly from a source, not passed through the hands of the family. This

verification may also be direct contact with a source, in person or by telephone. It may also be a report generated by a request from the Housing Authority of the City of Waco or automatically by another government agency, i.e., the SSA. Verification forms and reports received will be contained in the applicant/resident file. Oral third party documentation will include the same information as if the documentation had been written, i.e., name, date of contact, amount received, etc.

When third party verification cannot be obtained, the Housing Authority of the City of Waco will accept documentation received from the applicant/resident. Hand-carried documentation will be accepted if the Housing Authority of the City of Waco has been unable to obtain third party verification in a 2-week period of time. Photocopies of documents provided by the family will be maintained in the applicant/resident file.

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

12.2 TYPES OF VERIFICATION

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Housing Authority of the City of Waco will send a request form to the source, as well as a release form signed by the applicant/resident, via first class mail. Verification Requirements for Individual Items		
Item To Be Verified	3rd Party Verification	Hand –Carried Verification
General Eligibility items		
Social Security Number	Letter from Social Security, electronic reports	Social Security Card
Citizenship	N/A	Signed certificate, voter's registration card, birth certificate, etc
Eligible Immigration Status	INS save confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI, or Social Security disability benefits
Full -Time Student Status(if > 18)	Letter from school	For high school students, any document evidencing enrollment
Need for Live- in Aide	Letter from Dr. or other professional knowledgeable	N/A
Child Care Costs	Letter from care provider	Bills and receipts
Disability Assistance Expenses	Letters from suppliers, care givers, etc	Bills and records of payment
Medical Expenses	Letter from providers, prescription record from pharmacy, medical professional letter stating assistance or a companion animal	Bills, receipts, records of payments, dates of trips, mileage, log receipt for fares and tolls

form **HUD 50075** (03/2003)

	is needed	
Value of Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDs, bonds, Etc	Letter from institution	Tax return, information from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or viainternet
Real Property	Letter from tax office, assessment, etc	Property tax statement(current value) assessment, records or income and expenses, tax return
Personal Property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash Value of Life Insurance Policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
Verification Requirements for Individual Items		
Item to Be Verified	3rd Party Verification	Hand-Carried Verification
Income		
Earned income	Letter from employer	Multiple pay stubs Minimum of 6 pay stubs
Self- Employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Notarized letter from source, letter from organization	Bank deposits, other similar evidence
Alimony/Child Support	Court order, letter from notarized source, letter from Human Services	Record of deposits, divorce decree
Periodic payments(i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training Program Participation	Letter from program provider indicating: Whether enrolled or completed Whether training is HUD funded Whether Federal, State, local govt., or local program Whether it is employment training Whether it has clearly defined goals and objectives Whether program has supportive services Whether payments are for out- of- pocket expenses incurred in order to participate in a program Date of first job after program completion	N/A Evidence of job start

form **HUD 50075** (03/2003)

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NON-CITIZEN STATUS

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

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

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

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

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

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

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

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

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

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

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS 24 CFR 5.216

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

The best verification of a Social Security number is the original Social Security card. If the card is not available, the Housing Authority of the City of Waco will accept a letter from the Social Security agency that establishes and documents the number. Documentation from another government agency that establishes and documents the number will also be accepted. A driver's license, military ID, passport, or other official document that establishes and documents the number will also be acceptable.

If an individual states that s/he does not have a Social Security number, s/he will be required to sign a statement to this effect. The Housing Authority of the City of Waco will not require any individual who does not have a Social Security number to obtain a Social Security number.

If a member of an applicant family indicates that s/he has a Social Security number but cannot readily verify it, the family cannot be housed until verification is provided.

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

12.5 TIMING OF VERIFICATION

Verification information must be dated within one hundred twenty (120) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority of the City of Waco will verify and update all information related to family circumstances and level of assistance, or the Housing Authority of the City of Waco will verify and update those changes only that are reported to have changed.

12.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible non-citizen status will be verified only once. This verification will be obtained prior to admission. If the status of

any family member was not determined prior to admission, verification of his/her status will be obtained at the next regular reexamination. Prior to a new member joining the family, his/her citizen/eligible non-citizen status will be verified.

For each family member age 6 and older, verification of a Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, the number will be verified at the next regular reexamination. Likewise, when a child turns 6, his/her verification will be obtained at the next regular reexamination.

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

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

A. Families who opt for the flat rent will be required to go through the income reexamination process every three (3) years, rather than the annual review they would otherwise undergo.

B. 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 childcare, medical care, etc.; or

3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

A. 10% of monthly income;

B. 30% of monthly adjusted income; or

C. $50 minimum rent

In the case of a family who has qualified for the income exclusion at Section 11.2(H)(11), upon the expiration of the 12 month period described in that section,

an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12 month period following the 12 month period of disallowance, the resulting rent increase will be capped at 50% of the rent increase the family would have otherwise received.

13.3 MINIMUM RENT

The Housing Authority of the City of Waco has established a minimum rent of $50.00. However, if a family requests a hardship exemption, the Housing of the City of Waco will immediately suspend the minimum rent for the family until the Housing Authority of the City of Waco can determine whether the hardship exists, and whether the hardship is of a temporary or long-term nature. If applicable that all household members are compliant with Community Service hours.

A. A hardship exists under the following circumstances:

1. When the family has lost eligibility for, or is awaiting 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, including medical costs, childcare, or

5. When a death has occurred in the immediate the family. (father, mother, daughter, son, spouse, grandparents)

B. No hardship. If the Housing Authority of the City of Waco determines that there is no qualifying hardship, the minimum rent will be reinstated, including a requirement that the back payment(s) of minimum rent for the time of suspension be paid.

C. Temporary Hardship. If the Housing Authority of the City of Waco 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 ninety (90) days from the date of the family's request. At the end of the ninety (90) day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority of the City of Waco will offer a re-payment agreement in accordance with Section 13.8 of this policy, for any rent not paid during the period of suspension. During the suspension period the Housing Authority of the City of Waco will not evict the family for non-payment of the amount of tenant rent owed. During the process of verification of hardship, the family must report to

the Housing Authority of the City of Waco every thirty (30) days for follow-up at the development management office.

D. Long-term hardship. If the Housing Authority of the City of Waco determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists. During the time of hardship, the family must report to the Housing Authority of the City of Waco every thirty (30) days for follow-up at the development management office.

E. Appeals. The family may use the Grievance Procedure to appeal the determination of the Housing Authority of the City of Waco, regarding a hardship. No escrow deposit will be required in order to access the Grievance Procedure.

13.4 THE FLAT RENT

The Housing Authority of the City of Waco has set a flat rent for each public housing unit. In doing so, it considered the age, size, and type of unit, as well as its condition, amenities, services, and neighborhood. The Housing Authority of the City of Waco determined the market value of each unit and set the rent at the market value. The amount of the flat rent will be re-evaluated 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.

The Housing Authority of the City of Waco will post the flat rents at each of its developments, and at the central office. Flat rents are incorporated into this policy upon approval by the Board of Commissioners.

13.5 RENT FOR FAMILIES UNDER THE NON-CITIZEN RULE

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

A. The family was receiving assistance on June 19, 1995;

B. The family was granted continuation of assistance before November 29, 1996;

C. The family's head or spouse has eligible immigration status; and

D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child of the head of household or spouse, under the age of 18 years.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary

deferral of termination of assistance in order to permit the family additional time or the orderly transition of some or all of its members to locate other suitable, affordable housing. Under this provision, the family receives full assistance. If assistance is granted prior to November 29, 1996 under this provision, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision, is eighteen (18) months. The Housing Authority of the City of Waco will grant each family a period of six (6) months to find suitable, affordable housing.

Suitable housing means housing that is not substandard and is of appropriate size for the family.

Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

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

A. Determine the 95th percentile of gross rents (tenant rent plus utility allowance) for the Housing Authority of the City of Waco. The 95th percentile is called the maximum rent.

B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.

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

D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

13.6 UTILITY ALLOWANCE

The Housing Authority of the City of Waco 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 Housing Authority of the City of Waco will review the actual consumption of tenant families, as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy efficient appliances, etc.) Allowances will be evaluated at least annually, as well as any time the utility rate changes by 10% or more since the last revision to the allowances.

For Housing Authority of the City of Waco paid utilities, the Housing Authority of the City of Waco will monitor the utility consumption of each household. Any

consumption in excess of the allowance established by the Housing Authority of the City of Waco will be billed to the resident monthly.

13.7 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rent and other charges should be paid at the development management office or mailed to the central office of the Housing Authority of the City of Waco. Reasonable accommodation for this requirement will be made for persons with disabilities. As a safety measure, no cash will be accepted in payment for rent and other charges.

If rent and all other charges is not paid by the fifth of the month, a Notice to Quit will be issued to the resident. Partial payments of rent and all other charges will not be applied until full payment is received. All partial payments will incur late fees. In addition, a $10 late charge, plus $1 per day will be assessed to the resident. If rent is paid with a personal check and the check is returned by the bank for insufficient funds, or for any other reason, this will be considered non-payment of rent and the resident will incur the late charge plus an additional $25 for processing costs. Two such incidents of insufficient check returns will be cause to make all future rental payments with money order or cashiers check.

RENT COLLECTION PROCEDURE

1. All rent and other charges are due and payable on the first of the month, and no later than the 5th day of the month.

2. On the 6th day of the month, a “Notice To Quit” is mailed to all residents with an outstanding balance of $5.00 or more, and a $10 late charge is assessed, as well as a charge of $1 per day for each day the rent and other charges remain unpaid. A copy of the notice is retained in the resident file in order to establish a record of payment history.

3. On the 15th day of the month, any resident who has an outstanding balance will be sent a “Letter of Concern”.

4. On the 21st day of the month, any resident who has not paid rent and other charges by 5:00 P.M. will be filed on in the appropriate Justice of the Peace court.

5. No money will be applied to any resident account once court papers have been filed.

6. The Housing Authority of the City of Waco reserves the right to enter into a repayment agreement after the court decision.

13.8 REPAYMENT AGREEMENT

When a resident owes the Housing Authority of the City of Waco rent and other charges, and is unable to pay the balance by the due date, the resident may request that the Housing Authority of the City of Waco allow him/her to enter into a repayment agreement. The Housing Authority of the City of Waco will exercise discretion whether to accept such an agreement. All repayment agreements must assure that the full payment is made within a reasonable period of time, never to exceed four (4) months. All repayment agreements must be in writing, and signed by both parties. Failure to comply with the repayment agreement terms will subject the tenant to eviction procedures. Repay agreements will not exceed any amount over $1000.00. Unless approved by Executive Director or Deputy Executive Director. (Refer to 5.1 Fraud)

Only one (1) repayment agreement will be allowed per calendar year. The Director of Housing Operations must review and approve any repayment agreement.

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member, 18 years of age and older, of a household must either:

1. Contribute eight (8) hours per month of community service within the community in which the public housing development is located. (This service does not include political activity); or

2. Participate in an economic self-sufficiency program unless exempt from this requirement.

14.2 EXEMPTIONS

The following adult family members of resident families are exempt from this requirement:

A. Family members who are 62 or older;

B. Family members who are blind or disabled;

C. Family members who are the primary care-giver for someone who is blind or disabled;

D. Family members engaged in work activity; (must work twenty (20 hours or more)

E. Family members who are exempt from work activity under Part A, Title IV of the Social Security Act, or under any other State welfare program, including the Welfare-To-Work Program; or

F. Family members receiving assistance under a State program funded under Part A, Title IV of the Social Security Act, or under any other State welfare program, including the Welfare-To-Work Program so long as they are in compliance with the program requirements.

14.3 NOTIFICATION OF THE REQUIREMENT

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

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

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/01/2003. For families paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.4 VOLUNTEER OPPORTUNITIES

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

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

The Housing Authority of the City of Waco will coordinate with social service agencies, local schools, and the human resources office in identifying a list of volunteer community service positions,

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

14.5 THE PROCESS

At the first annual reexamination on or after October 1, 2003, and each annual reexamination thereafter, the Housing Authority of the City of Waco will do the following:

A. Provide a list of volunteer opportunities to family members;

B. Provide information to family members about obtaining a suitable volunteer position;

C. Provide a volunteer time sheet to family members. Instructions for the time sheet require the individual to complete the form and have a superior date and sign for each period of work;

D. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family members progress monthly, and will meet with family members as needed to best encourage compliance; and

E. Ninety (90) days before the family's next lease anniversary date, the volunteer coordinator will advise the Housing Authority of the City of Waco whether each applicable adult family member is in compliance with the community service requirement.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

The Housing Authority of the City of Waco will notify any family found to be in non-compliance of the following:

A. That a family member or members have been determined to be in non-compliance with the community service requirement;

B. That the determination is subject to the Grievance Procedure; and

C. That unless the family member or members, enter into an agreement to comply, the lease will not be renewed or will be terminated.

14.7 OPPORTUNITY FOR CURE

The Housing Authority of the City of Waco will offer the family member or members, the opportunity to enter into an agreement prior to the lease anniversary date. The agreement shall state that the family member or members, agree to enter into an economic self-sufficiency program, or agree to perform community service for as many hours as needed to comply with the requirement during the past 12-month period.

The cure shall occur over the 12-month period beginning with the date of the agreement, and the resident shall be required to keep current with the next year's community service requirement. The first hours the resident earns will be applied toward the past 12-month period, and be applied cumulatively thereafter.

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

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

15.0 RECERTIFICATION/REEXAMINATION

At least annually, the Housing Authority of the City of Waco will conduct a reexamination of family income and circumstances. The results of the reexamination determine:

1. The rent the family will pay; and

2. Whether the family is housed in the correct unit size.

15.1 GENERAL

The Housing Authority of the City of Waco will send a notification letter to the resident family, ninety (90) days prior to their annual reexamination, giving the resident family the option of selecting either the flat rent or the formula method, and scheduling an appointment if they are currently paying a formula rent. If the resident family thinks that they may want to switch from a flat rent to a formula rent, they must request an appointment. At the appointment, the resident family can make their final decision regarding which rent method they will choose. The letter includes instructions permitting the resident family to reschedule the interview, if necessary. The letter tells families who may need to make alternate arrangements due to a disability, that they may contact the Housing Authority of the City of Waco in order to request an accommodation for their need.

During the reexamination appointment,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. The Housing Authority of the City of Waco will determine whether the family composition may require a transfer to a different size unit. If so, the resident family's name will be placed on the transfer list. Upon receipt of verification, the Waco Housing Authority will determine the family's annual income and will calculate their rent.

15.2 MISSED APPOINTMENTS

If a resident family fails to respond to the letter, and fails to attend the scheduled appointment for reexamination purposes, a second letter will be mailed to the resident family. The second letter will advise that failure by the resident family to contact management within five (5) days of receipt of letter will result in the Housing Authority of the City of Waco taking legal action to terminate the family's occupancy.

15.3 FLAT RENTS

The annual letter to flat rent payers regarding the reexamination process will state the following:

A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.

B. The amount of the flat rent

C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories allowances that can be deducted from income.

D. Families who opt for the flat rent will be required to go through the income reexamination process every three (3) years, rather than the annual review they would otherwise undergo.

E. 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 childcare, 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.

F. The dates upon which the Housing Authority of the City of Waco expects review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.

G. The name and telephone number of an individual to call in order to get additional information or counseling concerning flat rents.

H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, the Housing Authority of the City of Waco will send a reexamination letter to the family offering the choice between a flat or a formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, the Housing Authority of the City of Waco may assist the family in identifying the rent method that would be the most advantageous for the family. If the family wishes to select the flat rent method without meeting with the Housing Authority of the City of Waco representative, the family may make the selection on the form and return the form to the Housing Authority of the City of Waco. In such case, the Housing Authority of the City of Waco will cancel the appointment.

15.4 THE FORMULA METHOD

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.

Upon receipt of verification, the Housing Authority of the City of Waco will determine the family's annual income and will calculate the rent as follows:

A. 10% of monthly income;

B. 30% of adjusted monthly income; or

C. Minimum rent of $50.00 whichever is highest.

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATION

The new rent will generally be effective on the anniversary date, with thirty (30) days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the increase. If the new rent is a reduction, and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

15.6 INTERIM REEXAMINATIONS

During an interim reexamination, only the information affected by the change(s) being reported will be reviewed and verified.

Families will not be required to report any increase in income or decreases in allowable expenses between annual reexaminations.

Families are required to report the following changes to the Waco Housing Authority between regular reexaminations. These changes will trigger an interim reexamination.

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

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

C. Increase in earned income from the employment of a current family member

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In order to add a household member other than through birth or adoption, including a live-in aide, the family must request that the new member be added to the lease. Before adding a new member to the lease, resident must complete request for additional household member,they must provide his/her income, assets, social security number if s/he has one, verify citizenship/eligible immigrant status and all other information required of an applicant. Housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family. The proposed family member will go through the screening process similar to the process for applicants. The Housing Authority of the City of Waco will determine the eligibility of the individual before adding him/her to the lease. If the individual is found to be ineligible or does not pass the screening criteria, s/he will be advised in writing and given the opportunity for an informal review.

If s/he passes the screening criteria, and is found to be eligible, his/her name will be added to the lease. 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. The effective date of the new rent will be in accordance with paragraph 15.5.

Families are not required to, but may at any time request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such a request, the Housing Authority of the City of Waco will take timely action to process the interim reexamination and recalculate the resident's rent.

15.7 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income, or have a temporary decrease in income, the Housing Authority of the City of Waco may schedule special reexaminations every ninety (90) days until the income stabilizes and an annual income can be determined.

15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS

Unless there is a delay in reexamination processing caused by the family, 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. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed.

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction, and the family caused the delay or did not report the change within ten (10) calendar days, the change will be effective the first of the month after the rent amount is determined.

16.0 UNIT TRANSFERS

16.1 TRANSFER REQUESTS

A resident may request a transfer at any time by completing a transfer request form at the development management office. In considering the request, the development manager may request a meeting with the resident to better understand the need for the transfer and to explore possible alternatives. If a meeting with the resident is necessary, it is to be held with the development

manager within five (5) business days after the resident's transfer request is submitted at the development management office. The development manager will review the request and make a written recommendation to the Director of Housing Operations for final determination, within seven (7) business days after the resident's original transfer request is submitted to the development management office.

The Housing Authority of the City of Waco will grant or deny the transfer request in writing within ten (10) business days of receiving the request or holding the meeting, whichever is later.

If the transfer is approved, the family's name will be added to the transfer waiting list. If the transfer is denied, the denial letter will advise the family of its right to utilize the grievance procedure.

16.2 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy include the following:

A. To address emergency situations

B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.

C. To facilitate relocation when required for modernization or other management purposes.

D. To facilitate relocation of families with inadequate housing accommodations.

16.3 CATEGORIES OF TRANSFERS

Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of a witness to a crime, or a law enforcement matter particular to the neighborhood.
These transfers shall take priority over new admission.

Category 2: Immediate administrative transfers. These transfers are necessary in order to permit a family in need of accessible features to move to a unit with such features or to enable modernization work to proceed.
These transfers shall take priority over new admission.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Housing Authority of the City of Waco's occupancy goals. To correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Housing Authority of the City of Waco when a transfer is the only or best way of solving a serious problem.
These transfers shall not take priority over new admission.

16.4 DOCUMENTATION

When the transfer is at the request of the family, the family will be required to provide third party verification of the need for the transfer.

16.5 PROCESSING TRANSFERS

Transfers on the waiting list will be sorted by the above categories and within each category by date and time.

Transfers in Category1and Category 2 will be housed ahead of any other families, including those on the applicant waiting list. Transfers in Category 1 will be housed ahead of transfers in Category 2.

Transfers in Category 3 will be housed along with applicants for admission at a ratio of one transfer for every seven admissions.

Following an offer and acceptance of a transfer, the family will execute all lease documents within two (2) days of being informed the unit is ready to rent. The family will be allowed three (3) days to complete the transfer. The family will be responsible for paying rent at the old unit, as well as the new unit for any period of time that they have possessions in both units beyond the three (3) day allowance to complete the transfer. The prorated rent and any other charges associated with the transfer must be paid on the first of the month following the transfer.

Following is the policy for the rejection of an offer to transfer:

A. If the family rejects with good cause the unit offered, the family will not loose its place on the transfer waiting list. Good cause to be determined by the Housing Authority of the City of Waco. Family's that rejects two (2) offers without good cause will be required to sign statement of refusal and name will be removed from transfer list.

B. If the transfer is being made at the request of the Housing Authority of the Housing Authority of the City of Waco and the family rejects two (2) offers without good cause, the Housing Authority of the City of Waco will take action to terminate the family's residency.

16.6 COST OF THE FAMILY'S MOVE

The cost of the transfer will be borne by the family under the following circumstances:

A. When the transfer is made at the request of the family, or by others on behalf of the family;

B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;

C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved. Upon executing a waiver the transferring family agreed to move if an applicant family in need of an accessible unit reached the top of the waiting list; or

D. When the transfer is necessary due to the action or inaction of the family causing the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the Housing Authority of the City of Waco under the following circumstances:

A. When the transfer is necessary in order to carry out rehabilitation/modernization activities; or

B. When the transfer is necessary due to the action or inaction of the Housing Authority of the City of Waco causing the unit to be unsafe or uninhabitable.

The responsibility for moving costs under other circumstances will be determined on a case-by-case basis.

16.7 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the Housing Authority of the City of Waco. This means that the family must be in compliance with its lease, current in all payments to the Housing Authority of the City of Waco, and must pass a housekeeping inspection.

16.8 RIGHT OF THE HOUSING AUTHORITY OF THE CITY OF WACO REGARDING TRANSFER POLICY

The provisions listed above are to be used as a guide to insure a fair and impartial means of assigning units for transfers. It is not intended that this policy create a

property right, or any other type of right, for a resident to transfer or refuse to transfer.

17.0 INSPECTIONS

17.1 NOTICE OF INSPECTION

For inspections defined as Annual/Housekeeping inspections, Uniform Property Condition Standards (UPCS)/Preventive Maintenance Inspections, and Special Inspections the Housing Authority of the City of Waco will give the resident at least two (2) days written notice.

17.2 MOVE-IN INSPECTION

An authorized representative of the Housing Authority of the City of Waco and an adult family member will inspect the unit before signing the lease, and prior to commencement of occupancy. A written statement of the condition of the premises will be made, all equipment will have been provided, and the statement will be signed by both parties. One copy of the inspection will be given to the adult family member, and a copy of the inspection will be retained in the resident file.

17.3 ANNUAL/HOUSEKEEPING INSPECTION

An authorized representative of the Housing Authority of the City of Waco and an adult family member will inspect the unit annually, or at other times as necessary, to ensure that the family is maintaining the unit in a safe and sanitary condition, and in accordance with the housekeeping standard of the Housing Authority of the City of Waco.

17.4 UNIFORM PROPERTY CONDITION STANDARDS (UPCS)/PREVENTIVE MAINTENANCE INSPECTION

An authorized representative of the Housing Authority of the City of Waco will inspect the unit annually to ensure that the unit and its equipment is kept in good repair. The inspector will check such things as weatherization factors, smoke detectors, water heaters, furnaces, automatic thermostats, water temperatures, general plumbing and electrical, etc. Work-order follow-up to this inspection is intended to provide servicing that extends the life of the unit and its equipment.

17.5 SPECIAL INSPECTION

A special inspection may be scheduled to enable HUD, modernization personnel, contractors, or other professionals to inspect a sampling of housing stock maintained by the Housing Authority of the City of Waco.

17.6 EMERGENCY INSPECTION

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

17.7 PRE MOVE-OUT INSPECTION

When a resident gives notice that s/he intends to move, the Housing Authority of the City of Waco will offer to schedule a pre move-out inspection with the family. The inspection allows the Housing Authority of the City of Waco to help the family identify any problems which if left uncorrected, could lead to move-out charges. This inspection is a courtesy to the family and has been found to be helpful in reducing move-out costs to the family, as well as enabling the Housing Authority of the City of Waco to ready units more quickly for future occupants.

17.8 MOVE-OUT INSPECTION

An authorized representative of the Housing Authority of the City of Waco will inspect a unit when a resident is moving out, and in fact has removed all possessions from the unit. The Housing Authority of the City of Waco encourages the former resident to be present at the move-out inspection since this becomes the basis for any claims that may be assessed against the security deposit. A written statement of the condition of the premises is made and retained in the resident file.

18.0 TERMINATION

18.1 TERMINATION BY RESIDENT

A resident may terminate the lease at any time by submitting a 15-day written notice to vacate the unit. If a resident vacates the unit prior to the end of the 15-day period, s/he is responsible for rent to the end of the notice period, or until the unit is re-rented, whichever occurs first.

18.2 TERMINATION BY THE HOUSING AUTHORITY OF THE CITY OF WACO

The Housing Authority of the City of Waco after 10/01/2003 will not renew the lease of any family that is not in compliance with the community service

requirement, or an approved agreement to cure. If the family does not voluntarily leave the property, eviction proceedings will be initiated.

The Housing Authority of the City of Waco will terminate the lease for serious or repeated violations of material lease terms. Such violations include, but are not limited to, the following:

A. Nonpayment of rent or other charges;

B. A history of late rental payments, i.e., "Notice To Quit";

C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;

D. Failure to allow inspection of the unit;

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

F. Assignment or subletting the premises;

G. Use of the premises for purposes other than as a dwelling unit (other than for a Housing Authority of the City of Waco approved resident business);

H. Destruction of property;

I. Acts of destruction, defacement, or removal of any part of the premises, or failure to cause guests to refrain from such acts;

J. Any criminal activity or drug-related criminal activity, on or off the premises. This includes, but is not limited to, the manufacture of methamphetamine on the premises of the Housing Authority of the City of Waco;

K. Non-compliance with Non-citizen Rule requirements;

L. Permitting persons not on the lease to reside in the unit, more than ten (10) days each year, without the prior written approval of the Housing Authority of the City of Waco;

M. Failure to recertify annual information after first notice; and all school age children must be enrolled in school

N. Failure to allow maintenance repairs or modernization improvements to a unit

O. Failure to conduct themselves in a cooperative, courteous or non-threatening manner with residents and staff. Disruptive or uncooperative behavior can result in termination of lease: or

P. Other good cause.

The Housing Authority of the City of Waco 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.

18.3 ABANDONMENT

The Housing Authority of the City of Waco will consider a unit to be abandoned when a resident has both, fallen behind in rent **AND** has clearly indicated by words or actions an intention not to continue living in the unit. The Housing Authority of the City of Waco will post a notice of abandonment on a unit for 48 hours, and secure the unit by changing the locks. If there is no response to this notice after 48 hours, and if an inspection indicates that all or most of the property has been removed and rent is not paid, the Housing Authority of the City of Waco will conclude that the resident has moved out. Surrender or abandonment ends the resident right of possession and gives the Housing Authority of the City of Waco the right to remove any property, and clean the unit for lease-up.

18.4 RETURN OF SECURITY DEPOSIT

When a family moves out, the Housing Authority of the City of Waco will return the security deposit within 30-days, and give the family a written statement of why all, part, or none of the security deposit is being kept. The unit must be restored to the same condition as when the family moved in, except for normal wear and tear. The security deposit will not be used to cover normal wear and tear, or damage that existed when the family moved in.

The Housing Authority of the City of Waco will be considered in compliance with the above, if the required payment and statement are deposited in the U.S. mail with first class postage paid within 30-days of a family's move-out.

19.0 PET POLICY

19.1 PURPOSE

This Pet Policy is designed to allow responsible residents of public housing the privilege of maintaining a common household pet listed on their lease agreement, while also respecting the rights of other residents and neighbors, subject to compliance with requirements established by the Housing Authority of the City of Waco.

19.2 APPLICABILITY

This policy applies to all residents of the Housing Authority of the City of Waco. A resident of a dwelling unit may own or have a common household pet present in the dwelling. One pet only, is allowed per unit. For purposes of this policy, one cage or one aquarium is equal to one pet. Residents with pets that are not registered with the management office will not be allowed in unit or property. Each time management is made aware that resident has not complied with Pet Policy they will be charged $25.00 each time. This includes visiting pets.

19.3 EXEMPTIONS

Weight restrictions included in this policy do not apply to animals that assist, support or provide service to persons with disabilities, under Federal, State or local law.

19.4 EXCEPTIONS

This policy does not apply to residents of the Housing Authority of the City of Waco who are elderly (62 years of age or older) or disabled, and/or those persons with disabilities who may require an animal as reasonable accommodation to assist, support or provide service.

19.5 PET DEPOSIT

A pet deposit of $350.00 per pet will be charged. The pet deposit is separate and apart from the Security Deposit required for occupancy.

19.5a) Pet Deposits for fish and aquariums will be as follows:

Fishbowl	$ 0.00
5 gallon aquarium	$ 75.00
10 gallon aquarium	$150.00
20 gallon aquarium	$300.00

Pet deposit will be subject to the terms and condition set forth in lease.

19.6 PET FEE

A non-refundable annual fee of $180.00 will be charged to the pet owner to cover the reasonable operating costs to the development relating to the presence of the pet.

19.6 a) Pet Fee for Aquariums
There will be no annual fee charged to the aquarium owner.

19.7 ACCEPTABLE HOUSEHOLD PET

Acceptable household pets include dog, cat, tropical fish, bird, turtle, and hamster. Pets that are not considered common household pets such as monkeys, snakes, other non-domesticated creatures are not allowed.

19.8 PET SIZE LIMIT

Authorized pets may not be a breed that will exceed a weight of 20 pounds.

19.9 INOCULATIONS AND LICENSES

Each dog and cat must be certified to have had required inoculations, having been spayed or neutered, and being currently licensed prior to keeping the pet. Certifications must be placed in the pet owner's resident file upon registering the pet, and must be updated annually.

19.10 NUISANCE AND/OR THREAT TO PUBLIC HEALTH OR SAFETY

The Housing Authority of the City of Waco will require the immediate removal of any pet from a neighborhood upon determination that the pet's conduct or condition becomes a nuisance and/or threat to the health or safety of other residents of the neighborhood or Housing Authority of the City of Waco personnel.

19.11 LIABILITY FOR DAMAGES, INJURY

Pet owner is strictly liable for the entire amount of any injury that the pet causes to person or property. Pet owner will indemnify the Housing Authority of the City of Waco for all costs of litigation and Attorney's fees resulting from any such damage.

19.12 VIOLATIONS

Violation of this policy will be considered as a violation of the dwelling lease, and the resident will be subject to such actions as prescribed in the lease agreement for violations of said agreement.

19.13 PRIOR APPROVAL

Residents who wish to own or have a common household pet present in the dwelling must receive prior written approval from the Housing Authority of the City of Waco, pay the required deposit and fee, and execute the appropriate addendum to the lease agreement.

19.14 IMPLEMENTING PROCEDURES

The Executive Director shall establish such procedures as may be necessary to implement this policy. The Executive Director, with the approval of the Board of Commissioners of the Housing Authority of the City of Waco, may designate particular buildings or sections of buildings as "no pet areas".

19.15 STATE LAW AND LOCAL ORDINANCE

This Pet Policy, as well as State laws and local ordinances that are in place by the City of Waco Animal Control Office, apply to residents of the Housing Authority of the City of Waco.

19.16 PET RULES

Every pet owner is responsible for his/her pet's actions at all times. Following are the rules by which every pet owner must abide:

1. A pet must not disturb neighbors or other residents, regardless of whether the pet is inside or outside the dwelling.

2. A pet owner must keep the pet on a leash and under his/her supervision at all times when outside the dwelling unit.

3. A pet must be fed and watered inside the dwelling unit. Do not leave pet food and/or water outside the dwelling unit at anytime.

4. No facilities (temporary or permanent) may be constructed on Housing Authority of the City of Waco property for the purpose of keeping a pet.

5. A pet may not be tied or staked outside the dwelling unit.

6. A pet owner is responsible for the immediate removal of all pet waste from the development grounds, parking areas, and sidewalks. No pet shall be allowed on common ground, or the lawn of another resident. In the case of a pet using a litter box, litter must be changed twice per week, and solid matter removed daily. A pet owner who fails to comply with sanitation requirements will be charged $10.00 per occurrence.

7. No pet shall be left unattended by its owner for more than eight (8) hours. In the event of an emergency, any boarding costs shall be the responsibility of the pet owner or his/her estate and not a part of the Pet Deposit. At the time of pet registration, the pet owner must provide the Housing Authority of the City of Waco with the name, address and telephone number of two (2) persons who will assume responsibility for the pet in the absence of its owner, or in the event the owner does not or cannot maintain his/her pet in accordance with established rules and regulations.

8. The pet owner shall be financially responsible for repairs due to the presence of a pet, i.e., drains clogged with pet hair, damaged paint, woodwork, walls and doors, extermination/deodorization, or other costs considered necessary by the Housing Authority of the City of Waco.

9. Pet registration must be updated annually at the time of annual reexamination. The annual pet fee must be paid at this time. A pet owner will be notified in writing of the Housing Authority of the City of Waco's refusal to register a pet due to a record of a pet owner's inability to care for the pet, or the pet owner's inability to meet all requirements of the Pet Policy of the Housing Authority of the City of Waco.

10. Failure of a pet owner to comply with any and all Pet Rules of the Housing Authority of the City of Waco will result in the termination of his/her dwelling lease.

19.0 (B) PET POLICIES - ELDERLY OR DISABLED

19.1(B) PURPOSE

This Pet Policy is designed to allow elderly and disabled residents of public housing, the right of maintaining a common household pet listed on their lease agreement, while also respecting the rights of other residents and neighbors, subject to compliance with requirements established by the Housing Authority of the City of Waco.

19.2(B) APPLICABILITY

This policy applies to residents of the Housing Authority of the City of Waco who are elderly (62 years of age and older) or disabled, and/or those persons with disabilities who may require an animal as reasonable accommodation to assist, support or provide service. Residents with pets that are not registered with the management office will not be allowed in unit or property. Each time management is made aware that resident has not complied with Pet Policy they will be charged $25.00 each time. This includes any visiting pets.

19.3(B) EXEMPTIONS

Weight restrictions included in this policy do not apply to animals that assist, support, or provide service to persons with disabilities, under Federal, State or local law.

19.4 (B) PET DEPOSITS

A pet deposit of $50.00 per pet will be charged. The pet deposit is separate and apart from the Security Deposit required for occupancy.

Refund of pet deposit will be subject to the terms and condition set forth in the lease.

19.5(B) ACCEPTABLE HOUSEHOLD PET

Acceptable household pets include dog, cat, tropical fish, bird, turtle, and hamster. Pets that are not considered common household pets such as monkeys, snakes, other non-domesticated creatures are not allowed.

19.6(B) PET SIZE LIMIT

Authorized pets may not exceed a weight of 20 pounds.

19.7(B) INOCULATIONS AND LICENSES

Each dog and cat must be certified to have had required inoculations, having been spayed or neutered, and being currently licensed prior to keeping the pet. Certifications must be placed in the pet owner's resident file upon registering the pet, and must be updated annually.

19.8 (B) NUISANCES AND/OR THREAT TO PUBLIC HEALTH OR SAFETY

The Housing Authority of the City of Waco will require the immediate removal of any pet from a neighborhood upon determination that the pet's conduct or condition becomes a nuisance and/or threat to the health or safety of other residents of the neighborhood or Housing Authority of the City of Waco personnel.

19.9 (B) LIABILITIES FOR DAMAGES, INJURY

Pet owner is strictly liable for the entire amount of any injury that the pet causes to person or property. Pet owner will indemnify the Housing

Authority of the City of Waco for all costs of litigation and Attorney's fees resulting from any such damage.

19.10(B) VIOLATIONS

Violation of this policy will be considered as a violation of the dwelling lease, and the resident will be subject to such actions as prescribed in the lease agreement for violation of said agreement.

19.11 (B) PRIOR APPROVALS

Residents who wish to own or have a common household pet present in the dwelling unit must receive prior written approval from the Housing Authority of the City of Waco, pay the required deposit, and execute the appropriate addendum to the lease agreement.

19.12(B) IMPLEMENTING PROCEDURES

The Executive Director shall establish such procedures as may be necessary to implement this policy. The Executive Director, with the approval of the Board of Commissioners of the Housing Authority of the City of Waco, may designate particular buildings or sections of buildings as "no pet areas".

19.13(B) STATE AND LOCAL ORDINANCE

This Pet Policy, as well as State laws and local ordinances that are in place by the City of Waco Animal Control Office, apply to residents of the Housing Authority of the City of Waco.

19.14(B) PET RULES

Every pet owner is responsible for his/her pet's actions at all times. Following are the rules by which every pet owner must abide:

1. A pet must not disturb neighbors or other residents, regardless of whether the pet is inside or outside the dwelling.

2. A pet owner must keep the pet on a leash and under his/her supervision at all times when outside the dwelling unit.

3. A pet must be fed and watered inside the dwelling unit. Do not leave pet food and/or water outside the dwelling unit.

4. No facilities (temporary or permanent) may be constructed on Housing Authority of the City of Waco property for the purpose of keeping a pet.

5. A pet may not be tied or staked outside the dwelling unit.

6. A pet owner is responsible for the immediate removal of all pet waste from the development grounds, parking areas and sidewalks. No pet shall be allowed on common ground, or the lawn of another resident. In the case of a pet using a litter box, litter must be changed twice per week, and solid matter removed daily. A pet owner who fails to comply with sanitation requirements will be charged $25.00 per occurrence.

7. No pet shall be left unattended by its owner for more than eight (8) hours. In the event of an emergency, any boarding costs shall be the responsibility of the pet owner or his/her estate and not a part of the Pet Deposit. At the time of pet registration, the pet owner must provide the Housing Authority of the City of Waco with the name, address and telephone number of two (2) persons who will assume responsibility for the pet in the absence of its owner, or in the event the owner does not or cannot maintain his/her pet in accordance with established rules and regulations.

8. The pet owner shall be financially responsible for repairs due to the presence of a pet, i.e., drains clogged with pet hair, damaged paint, woodwork, walls and doors, extermination/deodorization, or other costs considered necessary by the Housing Authority of the City of Waco.

9. Pet registration must be updated annually at the time of annual reexamination. A pet owner will be notified in writing of the Housing Authority of the City of Waco's refusal to register a pet due to a record of a pet owner's inability to care for the pet, or the owner's inability to meet all requirements of the Pet Policy of the Housing Authority of the City of Waco.

10. Failure of a pet owner to comply with any and all Pet Rules of the Housing Authority of the City of Waco will result in the termination of his/her dwelling lease.

20.0 VIOLENCE AGAINST WOMEN'S ACT COMPLIANCE

I. Admissions and Screening

D. Non – Denial of Assistance. WHA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

E. Admissions Preference – Applicants for housing assistance from WHA will receive a preference in admissions by virtue of their status as victims of domestic violence (dating violence, stalking).

F. Mitigation of Disqualifying Information. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, WHA may, but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. IF requested by an applicant to take such mitigating information into account, WHA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. WHA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

II. Termination of Tenancy or Assistance

A. VAWA Protections. Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by WHA:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serous 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 or assistance to the victim of that violence.
2. In addition to the foregoing, tenancy or assistance will not be terminated by WHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
   (a) Nothing contained in this paragraph shall limit any otherwise available authority of WHA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither WHA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence or stalking than that applied to the other tenants.
   (b) Nothing contained in this paragraph shall be construed to limit the authority of WHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or WHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, WHA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by WHA. Leases used for all public housing operated by WHA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by WHA, shall contain provisions setting forth the substance of this paragraph.

XI. Verification of Domestic Violence, Dating Violence or Stalking

A. Requirement for Verification. The law allows, but does not require, WHA or a Section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph IV.C., WHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by WHA. Section 8 owners or managers receiving rental assistance

administered by WHA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. HUD-approved form – by providing to WHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
2. Other documentation – by providing to WHA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of they applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
3. Police or court record – by providing to WHA or to the requesting Section 8 owner of manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. Time allowed to provide verification/failure to provide. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by WHA, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result I loss of protection under VAWA and this policy against a proposed adverse action.

C. Waiver of verification requirement. The Executive Director of WHA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver I any other case or cases, regardless of similarity in circumstances.

IV. Confidentiality

A. Right of confidentiality. All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to WHA or to a Section 8 owner or manager in connection with a verification required under Section IV of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

requested or consented to by the individual in writing, or

required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or

otherwise required by applicable law.

B. Notification of rights. All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by WHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

V. Transfer to a New Residence

A. Application for transfer. In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, WHA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit on order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

B. Action on application. WHA will act upon such an application promptly within 14 days.

C. No right to transfer. WHA will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph VII, E. below, the decision to grant or refuse to grant a transfer shall lie within the sole discretion of WHA, and this policy does not create any right on the part of any applicant to be granted a transfer.

G. Family rent obligations. If a family occupying WHA public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by WHA. In cases where WHA determines that the family's decision to move was reasonable under the circumstances, WHA may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.

H. Portability. Notwithstanding the foregoing, a Section 8 assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

VI. Court Orders/Family Break-up

A. Court orders. It is WHA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by WHA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. Family break-up. Other WHA policies regarding family break-up are contained in WHA's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

VII. Relationships with Service Providers

It is the policy of WHA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If WHA staff become aware that an individual assisted by WHA is a victim of domestic violence, dating violence or stalking, WHA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal

obligation requiring WHA either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case. WHA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which WHA has referral or other cooperative relationships.

VIII. Notification

WHA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and termination of tenancy or assistance.

IX. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementation shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

X. Amendment

This policy may be amended from time to time by WHA as approved by the WHA Board of Commissioners

GLOSSARY

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing authority, for interim reexaminations.

1937 Housing Act.: The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

Annual Contributions Contract (ACC): The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24CFR 5.403)

Annual Income: All amounts, monetary or not, that:

A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member, or

B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act: 24CFR 5.609)

Applicant (applicant family): A person or family that has applied for admission to a program but is not yet a participant in the program. (24CFR 5.403)

As-Paid States: States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs. Currently, the four as-paid States are New Hampshire, New York, Oregon and Vermont.
Assets: The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bounds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

Asset Income: Income received from assets held by family members. If assets total more than $5,000.00 income from the assets is "imputed: and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below)

Ceiling Rent: Maximum rent allowed for some units in public housing projects.

Certification: The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

Child: For purposed of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age.(24CFR 5.504(b))

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 childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24CFR 5.603(d))

Citizen: A citizen or national of the United States. (24CFR 5.504(b))

Consent From: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants for participant to determine eligibility or level of benefits. (24CFR 5.214)

Decent, Safe, and Sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development. (24CFR 5.100)

Dependent: A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student (24CFR5.603 (d))

Dependent Allowance: An amount, equal to $480 multiplied by the number of dependents, that is deducted form the household's annual income in determining adjusted annual income

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. (24CFR 5.63(d))

Disability Assistance Expense Allowance: In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

Disabled Family: A family whose head, spouse, or sole member is a person with disabilities, two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides (24CFR 5.403(b)) (Also see "person with disabilities.")

Disabled Person: See "person with disabilities."

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24CFR 5.403(b))

Displaced Person: A person displaced by a governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. [1937 Act]

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802

Elderly Family: A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24CFR 5.403)

Elderly Family Allowance: For elderly families, an allowance of $400 is deducted from the household's annual income in determining adjusted annual income.

Elderly Person: A person who is at least 62 year of age. (1937 Housing Act)

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Fair Housing Act: Title VIII of the Civil Rights Act. Of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24CFR 5.100)

Family includes but is not limited to:

A. A family with or without children;

B. An elderly family;

C. A near-elderly family;

D. A disabled family;

E. A displaced family;

F. The remaining member of a tenant family; and

G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24CFR 5.403)

Family Members: All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, thought they may be temporarily absent. All family members are listed on the lease.

Family Self-Sufficiency Program (FSS Program): The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24CFR 984.103(b))

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

Formula Method: A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24CFR 5.603(d))

Head of Household: The adult member of the family who is the head of the household for purposed of determining income eligibility and rent. (24CFR 5.504(b))

Household Members: All member of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

Housing Assistance Plan: A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24CFR 570.

Imputed Income: For households with net family assets of more than $5,000.00, imputed income is the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

In-Kind Payments: Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, bay sitting provided on a regular basis).

Interim (examination): A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

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

A. Is determined to be essential to the care and well-being of the persons;

B. Is not obligated for the support of the persons; and

C. Would not be living in the unit except to provide the necessary supportive services. (24CFR 5.403(b))

Low-Income Families: Those families whose incomes do not exceed 80$ of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the are on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

Medical Expenses: Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603 (d)) These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctor, dentists, therapists, medical facilities, care for a service animal, and transportation for medical purposes.

Mixed Family: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status (24CFR 5.504(b))

Monthly Adjusted Income: One-twelfth ad adjusted income. (24CFR5.603 (d))

Monthly Income: One-twelfth of annual income. (24CFR5.603 (d))

National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession (24 CFR 5.504 (b)

Near-Elderly Family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons who are at least 50 years of age but below the age of 62 living together, or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24CFR 5.503 (b)

Net Family Assets:

A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value for necessary items of personal property such as furniture and automobiles shall be excluded.

B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.

C. In determining family assets, housing authorities or owners, as applicable, shall include the value of any businesses or family asset 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 rexamination, 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 tan fair market value it the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5>603 (d)

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b)

Occupancy Standards: The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of families of different sizes or composition.

Person with Disabilities: A person who:

A. Has a disability as defined in Section 223 of the Social security Act, which states:
"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for
a continuous period of not less than 12 months, or in the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

B. Is determined, Pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

1. Is expected top be a long-continued and indefinite duration;

2. Substantially impedes his or ability to live independently; and

3. Is of such a nature that such ability could be improved by more suitable housing conditions, or

B. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;

2. Is manifested before the person attains age 22;

3. Is likely to continue indefinitely;

4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and

5. Reflects the person's need for combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR 5.520)

Public Housing Agency (PHA): Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5,100)

Recertification: The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

Remaining Member of a Tenant Family: A member of the family listed on the lease who conitnues to live in the public housing dwelling after all other family members have left. (Handbood 7565.1 REV-2,3-5b.)

Self-Declaration: A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

Shelter Allowance: That portion of a welfare benefit (e.g., TANF) the welfare agency designates to be used for rent and utilities.

Single Person: Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing Handbook 7465.1 REV-2, 3-5)

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment –related income and eligibility information. (24CFR 5.214)

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.
Tenant: The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b)

Tenant Rent: The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not incluede in tha mount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24CFR 5.603(d)

Third-Party (verification): Written or oral confirmation of a family's income, expensses, or household composition provided by a source outside the household.

Total Tenant Payment (TTP):

A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:

1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of:

   a. 30% of the family's monthly adjusted income;

   b. 10% of the family's monthly income; or

   c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

   If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) shall be the amount resulting from one application of the percentage.

2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.

B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose

initial lease was effective before August 1, 1982.

Utility Reimbursement: The amount, if any by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (24 CFR 5.603)

Very Low-Income Families: Low-income families whose income do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 ACT)

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d)

Welfare Rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

ACRONYMS

ACC	Annual contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S) Immigration and Naturalization Service
NAHA	(Cranston-Gonzales) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWR	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment

WACO HOUSING AUTHORITY

SECTION 8

ADMINISTRATIVE PLAN

Revised 2007

Section 8 Administrative Plan Table of Contents

1.0 EQUAL OPPORTUNITY 187
1.1 FAIR HOUSING 187
1.2 Reasonable Accommodation 188
1.3 Services For Non-English Speaking Applicants and PARTICIPANTS 188
1.4 Family/owner Outreach 188
1.5 Right to Privacy 189
1.6 Required Postings 189
2.0 Waco Housing Authority/Owner Responsibility/ Obligation of the Family 189
2.1 Waco Housing Authority Responsibilities 190
2.2 Owner Responsibility 191
2.3 Obligations of the Participant 192
3.0 Eligibility for Admission 195
3.1 Introduction 195
3.2 Eligibility Criteria 195
4.0 Managing the Waiting List 199
4.1 Opening and Closing the Waiting List 199
4.2 Taking Applications 199
4.3 Organization of the Waiting List 200
4.4 MISSED APPOINTMENTS 200
4.5 Purging the Waiting List 200
4.6 Removal of Applicants From the Waiting List 201
4.7 grounds for denial 201
4.8 Notification of Negative Actions 202
4.9 Informal Review 203
5.0 selecting families from the waiting list 203
5.1 wAITING lIST aDMISSIONS AND sPECIAL aDMISSIONS 203
5.2 Preferences 203
6.0 Assignment of Bedroom Sizes (subsidy Standards) 205
6.1 Briefing 206
6.2 Packet 207
6.3 Issuance of Voucher; Request for approval of tenancy 208
6.4 Term of the Voucher 209
6.5 APPROVAL TO LEASE A UNIT 210
6.6 Waco Housing Authority Disapproval of Owner 211
6.7 Ineligible/eliGIBle housing 212
6.8 Security deposit 213
7.0 Moves With Continued Assistance 213
7.1 When a Family May Move 213
7.2 Procedures Regarding Family Moves 214
8.0 Portability 215
8.1 General Policies of the Waco Housing Authority 215
8.2 Income Eligibility 216
8.3 Portability: Administration by Receiving Housing Authority 216

8.4 Portability Procedures 216
9.0 determination of family income 219
9.1 Income, Exclusions From Income, Deductions From Income 219
9.2 Income 219
9.3 exclusions from income 221
9.4 DEDUCTIONS FROM ANNUAL INCOME 224
10.0 Verification 224
10.1 Acceptable Methods of Verification 225
10.2 Types of verification 225
General Eligibility Items 226
10.3 Verification of Citizenship or Eligible Noncitizen Status 227
10.4 Verification of Social Security Numbers 228
10.5 Timing of Verification 229
10.6 Frequency of Obtaining Verification 229
11.0 Rent and Housing Assistance Payment 229
11.1 General 229
11.2 Rent Reasonableness 229
11.3 Comparability 230
11.4 Maximum subsidy 230
11.4.1 Setting the Payment Standard 231
11.4.2 Selecting the Correct Payment Standard for a Family 231
11.4.3 Area Exception Rents 232
11.5 ASSISTANCE AND RENT FORMULAS 232
11.6 Utility allowance 237
11.7 Distribution of housing assistance payment 238
11.8 Change of Ownership 238
12.0 Inspection Policies, Housing Quality Standards, AND DAMAGE cLAIMS 238
12.1 Types of Inspections 239
12.2 Owner and Family Responsibility 239
12.3 Housing Quality Standards (HQS) 24 CFR 982.401 241
12.4 Exceptions to the HQS Acceptability Criteria 251
12.5 Time Frames and Corrections of HQS Fail Items 251
12.6 Emergency Fail Items 252
12.7 Abatement 253
13.0 OWNER claims FOR DAMAGES, UNPAID RENT, AND VACANCY LOSS AND PARTICIPANT'S ENSUING RESPONSIBILITIES 253
14.0 recertification 254
14.1 Annual Reexamination 254
14.1.1 Effective Date of Rent Changes for Annual Reexaminations 255
14.1.2 Missed Appointments 255
14.2 Interim Reexaminations 255
14.2.1 Special Reexaminations 257
14.2.2 Effective Date of Rent Changes Due to Interim or Special Reexaminations 257
15.0 Termination of assistance to the family by the Waco Housing Authority 257
16.0 complaints, informal reviews for applicants, informalhearings for participants 259
16.1 Complaints 259
16.2 Informal Review for the Applicant 259
16.3 Informal Hearings for Participants 261

17.0 Termination of the Lease and Contract.....266
18.0 Quality Control of Section 8 program 269
18.1 Section 8 Administrative Fee Reserve Charges and Expenditures:.....269
19.0 transition to the new housing choice voucher program 269
20.0 Section 8 Homeownership program.....271
I. General.....271
II. Homeownership Option/Initial Requirements.....271
III. Homeownership Option/Eligibility Requirements for Families.....272
IV. Homeownership Option/Eligible Units 272
V. Homeownership Option/Additional WHA Requirements for Family Search and Purchase.....273
VI. Homeownership Option/Homeownership Counseling 273
VII. Homeownership Option/Home Inspections.....273
VIII. Homeownership Option /Contract of Sale.....274
IX. Homeownership Option/Affordability of Purchase.....274
X. Homeownership Option/Family Obligations.....274
XI. Homeownership Option/Maximum Term of Assistance.....275
XII. Homeownership Option/Distribution of Homeownership Assistance Payment 275
XIII. Homeownership Option/Portability.....275
XIV. Homeownership Option/Move with Continued Tenant-based Assistance 275
XV. Purchasing Another Home.....276
XVI. Homeownership Option/ Termination of Assistance.....276
XVII. Homeownership Option/Recapture of Homeownership Assistance 276
XVIII. Homeownership Option/Size of Homeownership Option Program.....276
XIX. Homeownership Option Preferences 277
Section 8 Homeownership Voucher Option Program Procedures.....277

21.0 Violence Against Women's Act Compliance……
…….93

Glossary 98

form **HUD 50075** (03/2003)

SECTION 8 ADMINISTRATIVE PLAN

Introduction to Section 8 Programs administered by the Housing Authority of the city of Waco.

The Housing Authority of the City of Waco incorporates areas of Waco and McLennan County. In addition, the Authority has incorporated smaller housing authorities at the request of HUD. These additional areas now include Hill County and Somervell County.

Hill county and Somervell county will follow all guidelines and policies administered and adopted by the Housing Authority Board of Commissioners and will be held to the same standards and compliance required by HUD.

1.0 EQUAL OPPORTUNITY

1.1 Fair Housing

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

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

To further its commitment to full compliance with applicable Civil Rights laws, the Waco Housing Authority will provide Federal/State/local information to applicants for and participants in the Section 8 Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at the Waco Housing Authority office. In addition, all appropriate written information and advertisements will contain the appropriate Equal Opportunity language and logo.

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

1.2 Reasonable Accommodation

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the Waco Housing Authority housing programs and related services. When such accommodations are granted they do not confer special treatment or advantage for the person with a disability; rather, they make the program fully accessible to them in a way that would otherwise not be possible due to their disability. Because disabilities are not always apparent, the Waco Housing Authority will ensure that all applicants/participants are aware of the opportunity to request reasonable accommodations.

Authority retains the right to select the most efficient or economic choice.

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

If the participant requests, as a reasonable accommodation, that he or she be permitted to make physical modifications to their dwelling unit, at their own expense, the request should be made to the property owner/manager. The Housing Authority does not have responsibility for the owner's unit and does not have responsibility to make the unit

1.3 Services For Non-English Speaking Applicants and Participants

The Waco Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English to assist non-English speaking families. The following languages will be covered:

(Spanish)

1.4 Family/owner Outreach

The Waco Housing Authority will publicize the availability and nature of the Section 8 Program for extremely low-income, very low and low-income families in a newspaper of general circulation, minority media, and by other suitable means.

The Waco Housing Authority will communicate the status of program availability to other service providers in the community and advise them of housing eligibility factors and guidelines so that they can make proper referral of their clients to the program.

The Waco Housing Authority will hold briefings for owners who participate in or who are seeking information about the Section 8 Program. Owners and managers participating in the Section 8 Program will participate in making this presentation. The briefing is intended to:

A. Explain how the program works;

B. Explain how the program benefits owners;

C. Explain owners' responsibilities under the program. Emphasis is placed on quality screening and ways the Waco Housing Authority helps owners do better screening; and

D. Provide an opportunity for owners to ask questions, obtain written materials, and meet Waco Housing Authority staff.

The Waco Housing Authority will particularly encourage owners of suitable units located outside of low-income or minority concentration to attend. Targeted mailing lists will be developed and announcements mailed.

1.5 Right to Privacy

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

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

1.6 Required Postings

The Waco Housing Authority will post, at the central office in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

A. The Section 8 Administrative Plan

B. Notice of the status of the waiting list (opened or closed)

C. Informal Review and Informal Hearing Procedures

D. Fair Housing Poster

2.0 Waco Housing Authority/Owner Responsibility/ Obligation of the Family

This Section outlines the responsibilities and obligations of the Waco Housing Authority, the Section 8 Owners/Landlords, and the participating families.

2.1 Waco Housing Authority Responsibilities

A. The Waco Housing Authority will comply with the consolidated ACC, the application, HUD regulations and other requirements, and the Waco Housing Authority Section 8 Administrative Plan.

B. In administering the program, the Waco Housing Authority must:

1. Publish and disseminate information about the availability and nature of housing assistance under the program;

2. Explain the program to owners and families;

3. Seek expanded opportunities for assisted families to locate housing outside areas of poverty or racial concentration;

4. Encourage owners to make units available for leasing in the program, including owners of suitable units located outside areas of poverty or racial concentration;

5. Affirmatively further fair housing goals and comply with equal opportunity requirements;

6. Receive applications from families, determine eligibility, maintain the waiting list, select applicants, issue a voucher to each selected family, and provide housing information to families selected;

7. Determine who can live in the assisted unit at admission and during the family's participation in the program;

8. Obtain and verify evidence of citizenship and eligible immigration status in accordance with 24 CFR part 5;

9. Review the family's request for approval of the tenancy and the owner/landlord lease, including the HUD prescribed tenancy addendum;

10. Inspect the unit before the assisted occupancy begins and at least annually during the assisted tenancy;

11. Determine the amount of the housing assistance payment for a family;

12. Determine the maximum rent to the owner and whether the rent is reasonable;

13. Make timely housing assistance payments to an owner in accordance with the HAP contract;

14. Examine family income, size and composition at admission and during the family's participation in the program. The examination includes verification of income and other family information;

15. Establish and adjust Waco Housing Authority utility allowance;

16. Administer and enforce the housing assistance payments contract with an owner, including taking appropriate action as determined by the Waco Housing Authority, if the owner defaults (e.g., HQS violation);

17. Determine whether to terminate assistance to a participant family for violation of family obligations;

18. Conduct informal reviews of certain Waco Housing Authority decisions concerning applicants for participation in the program;

19. Conduct informal hearings on certain Waco Housing Authority decisions concerning participant families;

20. Provide sound financial management of the program, including engaging an independent public accountant to conduct audits; and

21. Administer an FSS program (if applicable).

2.2 Owner Responsibility

A. The owner is responsible for performing all of the owner's obligations under the HAP contract and the lease.

B. The owner is responsible for:

1. Performing all management and rental functions for the assisted unit, including selecting a voucher holder to lease the unit, and deciding if the family is suitable for tenancy of the unit.

2. Maintaining the unit in accordance with HQS, including performance of ordinary and extraordinary maintenance.

3. Complying with equal opportunity requirements.

4. Preparing and furnishing to the Waco Housing Authority information required under the HAP contract.

5. Collecting from the family:

a. Any security deposit required under the lease.

b. The tenant contribution (the part of rent to owner not covered by the housing assistance payment).

c. Any charges for unit damage by the family.

6. Enforcing tenant obligations under the lease.

7. Paying for utilities and services (unless paid by the family under the lease).

C. For provisions on modifications to a dwelling unit occupied or to be occupied by a person with disabilities see 24 CFR 100.203.

D. The owner is responsible for notifying the Waco Housing Authority sixty (60) days prior to any rent increase.

2.3 Obligations of the Participant

This Section states the obligations of a participant family under the program.

A. Supplying required information

1. The family must supply any information that the Waco Housing Authority or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. Information includes any requested certification, release or other documentation.

2. The family must supply any information requested by the Waco Housing Authority 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 and must sign and submit consent forms for obtaining information.

4. Any information supplied by the family must be true and complete.

B. HQS breach caused by the Family

The family is responsible for any HQS breach caused by the family or its guests.

C. Allowing Waco Housing Authority Inspection

The family must allow the Waco Housing Authority to inspect the unit at reasonable times and after at least 2 days notice. Special inspections will be performed without notice to tenant landlord.

D. Violation of Lease

The family may not commit any serious or repeated violation of the lease.

E. Family Notice of Move or Lease Termination

The family must give a written 30 days notice to Waco Housing Authority and the owner before the family moves out of the unit or terminates the lease.

F. Owner Eviction Notice

The family must promptly give the Waco Housing Authority a copy of any owner eviction notice it receives.

G. Use and Occupancy of the Unit

1. The family must use the assisted unit for a residence by the family. The unit must be the family's only residence.

2. The Waco Housing Authority must approve the composition of the assisted family residing in the unit. The family must promptly inform the Waco Housing Authority of the birth, adoption or court-awarded custody of a child. The family must request approval from the Waco Housing Authority to add any other family member as an occupant of the unit. No other person (i.e., no one but members of the assisted family) may reside in the unit (except for a foster child/foster adult or live-in aide as provided in paragraph (4) of this Section).

3. The family must promptly notify the Waco Housing Authority within 10 days if any family member no longer resides in the unit.

4. If the Waco Housing Authority has given approval, a foster child/foster adult or a live-in aide may reside in the unit. The Waco Housing Authority has the discretion to adopt reasonable policies concerning residence by a foster child/foster adult or a live-in aide and defining when the Waco Housing Authority consent may be given or denied.

5. 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 for residence by members of the family. Any business uses of the unit must comply with zoning

requirements. The affected household member must obtain all appropriate licenses, landlord approval, and must promptly notify WHA.

6. The family must not sublease or let the unit.

7. The family must not assign the lease or transfer the unit.

H. Absence from the Unit

The family must supply any information or certification requested by the Waco Housing Authority to verify that the family is living in the unit, or relating to family absence from the unit, including any Waco Housing Authority requested information or certification on the purposes of family absences. The family must cooperate with the Waco Housing Authority for this purpose. The family must promptly notify the Waco Housing Authority of its absence from the unit.

Absence means that no member of the family is residing in the unit. The family may be absent from the unit for up to 30 days. The family must request permission from the Waco Housing Authority for absences exceeding 30 days. The Waco Housing Authority will make a determination within 5 business days of the request. An authorized absence may not exceed 180 days. Any family absent for more than 30 days without authorization will be terminated from the program.

Authorized absences may include, but are not limited to:

1. Prolonged hospitalization

2. Absences beyond the control of the family (i.e., death in the family, other family member illness)

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

I. Interest in the Unit

The family may not own or have any interest in the unit (except for owners of manufactured housing renting the manufactured home space).

J. Fraud and Other Program Violation

The members of the family must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program.

K. Crime by Family Members

The members of the family may not engage in drug-related criminal activity or other violent criminal activity.

L. Other Housing Assistance

An assisted family, or members of the family, may not receive Section 8 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.

3.0 Eligibility for Admission

3.1 Introduction

There are five eligibility requirements for admission to Section 8 -- qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security Numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the Waco Housing Authority screening criteria in order to be admitted to the Section 8 Program.

3.2 Eligibility Criteria

A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that lives together in a stable family relationship.

   a. Children temporarily absent from the home due to placement in foster care are considered family members.

   b. Unborn children and children in the process of being adopted are considered family members for purposes of determining bedroom size, but are not considered family members for determining income limit.

2. An **elderly family**, which is:

   a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;

   b. Two or more persons who are at least 62 years of age living together; or

   c. One or more persons who are at least 62 years of age living with one or more live-in aides.

3. A **disabled family**, which is:

   a. A family whose head, spouse, or sole member is a person with disabilities;

   b. Two or more persons with disabilities living together; or

   c. One or more persons with disabilities living with one or more live-in aides.

4. A **remaining member of a tenant family**.

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

B. Income eligibility

1. To be eligible to receive assistance a family shall, at the time the family initially receives assistance under the Section 8 program, be a family that is:

   a. An extremely low-income or a very low-income family;

   b. A low-income family continuously assisted under the 1937 Housing Act;

   c. A low-income family that meets additional eligibility criteria specified by the Housing Authority;

   d. A low-income family that is a nonpurchasing tenant in a HOPE 1 or HOPE 2 project or a property subject to a resident homeownership program under 24 CFR 248.173;

   e. A low-income family or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing;

   f. A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a HOPE 1 (HOPE for public housing homeownership) or HOPE 2 (HOPE for homeownership of multifamily units) project.

2. Income limits apply only at admission and are not applicable for continued occupancy; however, as income rises the assistance will decrease.

3. The applicable income limit for issuance of a voucher is the highest income limit for the family size for areas within the housing authority's jurisdiction. The applicable income limit for admission to the program is the income limit for the area in which the family is initially assisted in the program. The family may only use the voucher to rent a unit in an area where the family is income eligible at admission to the program.

4. Families who are moving into the Waco Housing Authority's jurisdiction under portability and have the status of applicant rather than of participant at their initial housing authority must meet the income limit for the area where they were initially assisted under the program.

5. Families who are moving into the Waco Housing Authority's jurisdiction under portability and are already program participants at their initial housing authority do not have to meet the income eligibility requirement for the Waco Housing Authority program.

6. Income limit restrictions do not apply to families transferring units within the Waco Housing Authority Section 8 Program.

C. Citizenship/Eligible Immigrant status

To be eligible each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).

Family eligibility for assistance

1. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.

2. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance (See Section 11.5(K) for calculating rents under the noncitizen rule).

3. A family without any eligible members and receiving assistance on June 19, 1995, may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

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

E. Signing Consent Forms

1. In order to be eligible each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.

2. The consent form must contain, at a minimum, the following:

   a. A provision authorizing HUD and the Waco Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy;

   b. A provision authorizing HUD or the Waco Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;

   c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and

   d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

F. Suitability for tenancy

The Waco Housing Authority determines eligibility for participation and will also conduct criminal background checks on all adult household members, including live-in aides. The Waco Housing Authority will deny assistance to a family because of drug-related criminal activity or violent criminal activity by family members. This check will be made through state or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. If the individual has lived outside the local area, the Waco Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC).

The Waco Housing Authority will check with the State sex offender registration program and will ban for life any individual who is registered as a lifetime sex offender.

Additional screening is the responsibility of the owner. Upon the written request of a prospective owner, the Waco Housing Authority will provide any factual information or third party written information they have

relevant to a voucher holder's history of, or ability to, comply with material standard lease terms or any history of drug trafficking.

4.0 Managing the Waiting List

4.1 Opening and Closing the Waiting List

Opening of the waiting list will be announced via public notice that applications for Section 8 will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation,

The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements.

Closing of the waiting list will be announced via public notice. The public notice will state the date the waiting list will be closed. The public notice will be published in a local newspaper of general circulation, and central office..

4.2 Taking Applications

Families wishing to apply for the Section 8 Program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at: **4400 Cobbs Dr., Waco, Texas 76710**

Applications are taken to compile a waiting list. Due to the demand for Section 8 assistance in the Waco Housing Authority jurisdiction, the Waco Housing Authority may take applications on an open enrollment basis, depending on the length of the waiting list.

When the waiting list is open, completed applications will be accepted from all applicants. The Waco Housing Authority will later verify the information in the applications relevant to the applicant's eligibility, admission, and level of benefit.

Applications may be made in person at the 4400 Cobbs Dr. Avenue, Waco, Texas 76703 on Monday – Friday 8:30 a.m. to 4:30 p.m. Applications will be mailed to interested families upon request.

The completed application will be dated and time stamped upon its return to the Waco Housing Authority.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Waco Housing Authority to make special arrangements to complete their application. The TDD telephone number is 1-800-432-2698.
The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information including name, address, phone number, family composition and family unit size, racial or ethnic designation of the head of household, income category, and information

establishing any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list.

An applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The Waco Housing Authority will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing upon request.

The second phase is the final determination of eligibility, referred to as the full application. The full application takes place when the family nears the top of the waiting list. The Waco Housing Authority will ensure that verification of all preferences, eligibility, suitability selection factors are current in order to determine the family's final eligibility for admission into the Section 8 Program.

4.3 Organization of the Waiting List

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

A. The application will be a permanent file;

B. All applications will be maintained in order of preference and then in order of date and time of application;

C. Any contact between the Waco Housing Authority and the applicant will be documented in the applicant file.

Note: The waiting list cannot be maintained by bedroom size under current HUD regulations.

4.4 Missed Appointments

All applicants who fail to keep a scheduled appointment in accordance with the paragraph below will be sent a notice of denial.

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

4.5 Purging the Waiting List

The Waco Housing Authority will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents interested families. Purging also enables the Housing Authority to update the information regarding address, family composition, income category and preferences.

4.6 Removal of Applicants From the Waiting List

The Waco Housing Authority will not remove an applicant's name from the waiting list unless:

A. The applicant requests that the name be removed;

B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or misses scheduled appointments; or

C. The applicant does not meet either the eligibility or screening criteria for the program.

4.7 grounds for denial

The Waco Housing Authority will deny assistance to applicants who:

A. Do not meet any one or more of the eligibility criteria;

B. Do not supply information or documentation required by the application process;

C. Fail to respond to a written request for information or a request to declare their continued interest in the program;

D. Fail to complete any aspect of the application or lease-up process;

E. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property, and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff, or cause damage to the property;

F. Currently owe rent or other amounts to any housing authority in connection with the public housing or Section 8 Programs;

G. Have committed fraud, bribery, or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived therefrom;

H. Have a family member who was evicted from federally assisted housing within the last five (5) years;

I. Have a family member who was evicted from assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession

with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;

J. Have a family member who 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. The Waco Housing Authority may waive this requirement if:

1. The person demonstrates to the Waco Housing Authority's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;

2. The person has successfully completed a supervised drug or alcohol rehabilitation program;

3. The person has otherwise been rehabilitated successfully; or

4. The person is participating in a supervised drug or alcohol rehabilitation program.

K. Have engaged in or threatened abusive or violent behavior towards any Waco Housing Authority staff member or resident;

L. Have a family household member who has been terminated under the Certificate or Voucher Program during the last three years;

M. Have a family member who has been convicted of manufacturing or producing methamphetamine (speed) (Denied for life);

N. Have a family member with a lifetime registration under a State sex offender registration program (Denied for life);

O. Are a welfare-to-work (WTW) family who fails to fulfill its obligations under the welfare-to-work voucher program.

4.8 Notification of Negative Actions

Any applicant whose name is being removed from the waiting list will be notified by the Waco Housing Authority, in writing, that they have ten (10) business days, from the date of the written correspondence, to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Waco Housing Authority's system of removing applicants' names from the waiting list will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, the Waco Housing Authority will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the Waco Housing Authority will verify that there is in fact a disability and that the accommodation they are requesting is necessary based on

the disability. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

4.9 Informal Review

If the Waco Housing Authority determines that an applicant does not meet the criteria for receiving Section 8 assistance, the Waco Housing Authority will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision, and state that the applicant may request an informal review of the decision within 10 business days of the denial. The Waco Housing Authority will describe how to obtain the informal review. The informal review process is described in Section 16.2 of this Plan.

5.0selecting families from the waiting list

5.1 Waiting List Admissions And Special Admissions

WHA uses local preferences to determine the ranking of an applicant. These have been adopted by the Board of Commissioners specifically for this purpose. The preferences are not ranked; and each preference carries the same weight.

The Housing Authority may admit an applicant for participation in the program either as a special admission funds designated for HUD approved persons or as a waiting list admission.

If HUD awards funding that are targeted for families with specific characteristics or families living in specific units, the Waco Housing Authority will use the assistance for those families.

5.2 Preferences

Consistent with the Waco Housing Authority Agency Plan, the Waco Housing Authority will select families based on the following preferences.

HOUSING AUTHORITY OF THE CITY OF WACO, TEXAS
LOCAL PREFERENCE CLAIM FORM

READ CAREFULLY AND CHECK ONLY THE PREFERENCES THAT APPLY TO YOU.

- **VETERAN'S PREFERENCE**: ☐

The head or spouse is currently a member of the Armed Forces, or the head of the household or spouse has an honorable discharge from the Armed Forces.

The head of household or spouse is no longer in the Armed Forces, and has an honorable discharge.
In the case of a divorce or legal separation, the head of the household or former spouse must provide the Waco Housing Authority with documentation that the head or spouse has rights to benefits; there is no right to the veteran's preference.

- **EMPLOYMENT PREFERENCE:** ☐

Families whose head of household or spouse are employed

Families whose head of household or spouse have been given a bona fide offer of employment

form **HUD 50075** (03/2003)

This preference does not require a minimum of income, but the family's annual income cannot exceed current very low income guidelines by HUD. Must have a minimum of 20 working hours a week

No minimum of time is required for the head or spouse to be employed. After move-in the employment must continue for six months or longer.

- **ELDERLY** --- 62 yr. or including an elderly family. ☐

- **DISABLED AND HANDICAPPED *HEAD OF HOUSEHOLD*.** ☐

This preference only applies to the Head of Household.

- **JOB TRAINING / SCHOOL PREFERENCE**: ☐

The head of household or spouse is currently enrolled and participating in a job-training program that prepares them for entering or re-entering the job market.

Families where the head of household or spouse is a graduate of a job-training program that prepared them for entering or re-entering the job market

Families enrolled in educational programs working toward a degree. Must be a full-time student (twelve hours or more) or give verifiable justification for carrying a lessor number of hours.

- **DOMESTIC VIOLENCE PREFERENCE:** ☐

Families' annual income cannot exceed current income guidelines by HUD

Must be certified by the Family Abuse Center that provides shelter or counseling to victims of domestic violence

The Housing Authority shall determine that the domestic violence occurred recently or is of a continuing nature.

The applicant shall certify that the person who engaged in such violence will not reside with the family unless Housing Authority has advanced written approval.

The Housing Authority may deny or terminated assistance to the family for breach of certification.

Section 8 Homeownership Only **PRE APPROVED MORTGAGE LOAN** ☐

- **TARGET UP AND OUT**: ☐

Families living in Public Housing who wishes to move into the private sector and receive rental assistance through Section-8 Program, and participate in the home ownership program. Families must meet the following guidelines

1. Families must have resided in public housing a **minimum of one year**, and **participate in the Family self-sufficiency Program**.
2. The family must participate in a job training program or attend an institution of higher learning or must maintain an earned income for a minimum of one year.
3. Families must be crime and drug free. This includes all persons on the lease.
4. Families must have a record of timely rent payments, for a twelve (12) month period.

No balances left from month to month.
Rent must be paid on or before the 5th of each month.

5. All school-age children must be attending school regularly.

Child's school will verify this.

6. Families must have established a pattern of keeping their apartment and premises clean both inside and outside with no graffiti.

This includes roof, yard, stairways and porches.
Family must be in good standing with Public Housing at time of transfer. Development managers must certify that the families have met the requirements.

The Waco Housing Authority will not deny a local preference, nor otherwise exclude or penalize a family in admission to the program, solely because the family resides in public housing.

If necessary to meet the statutory requirement that 75% of newly admitted families in any fiscal year be families who are extremely how-income (unless HUD agrees upon a different target). The Waco Housing Authority retrains the right to skip higher income families on the waiting list to reach extremely low-income families. This measure will only be taken if it appears the goal will not otherwise be met. To ensure this goal is met, the Housing Authority will monitor

incomes of newly admitted families and the income of the families on the waiting list.

6.0 Assignment of Bedroom Sizes (subsidy Standards)

The Waco Housing Authority will issue a voucher for a particular bedroom size – the bedroom size is a factor in determining the family's level of assistance. The following guidelines will determine each family's unit size without overcrowding or over-housing:

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

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Two adults will share a bedroom unless related by blood.

In determining bedroom size, the Waco Housing Authority will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school or temporarily in foster-care.

Bedroom size will also be determined using the following guidelines:

A. Children of the same sex will share a bedroom.

B. Children of the opposite sex, both under the age of 4**,** will share a bedroom.

C. Adults will not be required to share a bedroom with a child who is pass the age five.

D. Foster adults and children will not be required to share a bedroom with family members.

E. Live-in aides will get a separate bedroom.

The Waco Housing Authority will grant exceptions to normal occupancy standards when a family requests a larger size than the guidelines allow and documents a medical reason why the larger size is necessary.

The family unit size will be determined by the Waco Housing Authority in accordance with the above guidelines and will determine the maximum rent subsidy for the family; however, the family may select a unit that may be larger or smaller than the family unit size. If the family selects a smaller unit, the payment standard for the smaller size will be used to calculate the subsidy. If the family selects a larger size, the payment standard for the size certification family will determine the maximum subsidy.

6.1 Briefing

When the Waco Housing Authority selects a family from the waiting list, the family will be invited to attend a briefing explaining how the program works. In order to receive a voucher the family is required to attend the briefing. If they cannot attend the originally scheduled briefing, they may attend a later session. If the family fails to attend two briefings without good cause, they will be denied admission.

If an applicant with a disability requires auxiliary aids to gain full benefit from the briefing, the Housing Authority will furnish such aids where doing so would not result in a fundamental alteration of the nature of the program or in an undue financial or administrative burden. In determining the most suitable auxiliary aid, the Housing Authority will give primary consideration to the requests of the applicant. Families unable to attend a briefing due to a disability may request a reasonable accommodation such as having the briefing presented at an alternate location.

The briefing will cover at least the following subjects:

A. A description of how the program works;

B. Family and owner responsibilities;

C. Where the family may rent a unit, including inside and outside the Housing Authority’s jurisdiction;

D. Types of eligible housing;

E. For families qualified to lease a unit outside the Housing Authority's jurisdiction under portability, an explanation of how portability works;

F. An explanation of the advantages of living in an area that does not have a high concentration of poor families; and

G. An explanation that the family share of rent may not exceed 40% of the family's monthly adjusted income if the gross rent exceeds the applicable payment standard.

6.2 Packet

During the briefing, the Housing Authority will give the family a packet covering at least the following subjects:

A. The term of the voucher and the Housing Authority's policy on extensions and suspensions of the term. The packet will include information on how to request an extension and forms for requesting extensions;

B. How the Housing Authority determines the housing assistance payment and total tenant payment for the family;

C. Information on the payment standard, exception payment standard rent areas, and the utility allowance schedule;

D. How the Housing Authority determines the maximum rent for an assisted unit;

E. Where the family may lease a unit. For families qualified to lease outside the Housing Authority's jurisdiction, the packet includes an explanation of how portability works;

F. The HUD-required tenancy addendum that provides the language that must be included in any assisted lease, and a sample contract;

G. The request for approval of the tenancy form and an explanation of how to request Housing Authority approval of a unit;

H. A statement of the Housing Authority's policy on providing information to prospective owners. This policy requires applicants to sign disclosure statements allowing the Housing Authority to provide prospective owners with the family's current and prior addresses and the names and addresses of the landlords for those addresses. Upon request, the Housing Authority will also supply any factual information or third party verification relating to the applicant's history as a tenant or their ability to comply with material standard lease terms or any history of drug trafficking, drug-related criminal activity or any violent criminal activity;

I. The Housing Authority's subsidy standards, including when the Housing Authority will consider granting exceptions to the standards;

J. The HUD brochure on how to select a unit ("A Good Place to Live");

K. The HUD-required lead-based paint brochure;

L. Information on Federal, State, and local equal opportunity laws; the brochure “Fair Housing: It’s Your Right;" and a copy of the housing discrimination complaint form;

M. A list of landlords or other parties known to the Waco Housing Authority who may be willing to lease a unit to the family or help the family find a unit;

N. Notice that if the family includes a person with disabilities, the family may request a current list of accessible units known to the Waco Housing Authority that may be available;

O. The family’s obligations under the program;

P. The grounds upon which the Housing Authority may terminate assistance because of the family’s action or inaction;

Q. Waco Housing Authority informal hearing procedures, including when the Housing Authority is required to provide the opportunity for an informal hearing, and information on how to request a hearing; and

R. The Waco Housing Authority owner information brochure. This brochure can be given by the applicant to a prospective owner to help explain the program.

6.3 Issuance of Voucher; Request for approval of tenancy

Beginning October 1, 1999, the Waco Housing Authority will issue only vouchers. Treatment of previously issued certificates and vouchers will be dealt with as outlined in Section 22.0 Transition to the New Housing Choice Voucher Program.

Once all family information has been verified, their eligibility determined, their subsidy calculated, and they have attended the family briefing, the Waco Housing Authority will issue the voucher. At this point the family begins their search for a unit.

When the family finds a unit that the owner is willing to lease under the program, the family and the owner will complete and sign a proposed lease, the HUD required tenancy addendum and the request for approval of the tenancy form. The terms of the HUD tenancy addendum shall prevail over any other provisions of the lease. The family will submit the proposed lease and the request form to the Housing Authority during the term of the voucher. The Housing Authority will review the request, the lease, and the HUD required tenancy addendum and make an initial determination of approval of tenancy. The Housing Authority may assist the family in negotiating changes that may be required for the tenancy to be approvable. Once it appears the tenancy may be approvable, the Housing Authority will schedule an appointment to inspect the unit within 15 days after

the receipt of inspection request from the family and owner. The 15 day period is suspended during any period the unit is unavailable for inspection. The Housing Authority will promptly notify the owner and the family whether the unit and tenancy are approvable.

During the initial stage of qualifying the unit, the Housing Authority will provide the prospective owner with information regarding the program. Information will include Housing Authority and owner responsibilities for screening and other essential program elements. The Housing Authority will provide the owner with the family's current and prior address as shown in the Housing Authority records along with the name and address (if known) of the landlords for those addresses.

Additional screening is the responsibility of the owner. Upon request by a prospective owner, the Housing Authority will provide any factual information or third party written information they have relevant to a voucher holder's history of, or ability to, comply with standard material lease terms.

6.4 Term of the Voucher

The initial term of the voucher will be 60 days and will be stated on the Housing Choice Voucher.

The Housing Authority may grant one or more extensions of the term, but the initial term plus any extensions will not exceed 120 calendar days from the initial date of issuance without an extraordinary reason. To obtain an extension, the family must make a request in writing prior to the expiration date. A statement of the efforts the family has made to find a unit must accompany the request. A sample extension request form and a form for recording their search efforts will be included in the family's briefing packet. If the family documents their efforts and additional time can reasonably be expected to result in success, the Housing Authority will grant the length of request sought by the family or 60 days, whichever is less.

If the family includes a person with disabilities and the family requires an extension due to the disability, the Housing Authority will grant an extension allowing the family the full 120 days search time. If the Housing Authority determines that additional search time would be a reasonable accommodation, the Housing Authority will request HUD to approve an additional extension.

Upon submittal of a completed request for approval of tenancy form, the Waco Housing Authority will suspend the term of the voucher. The term will be in suspension until the date the Housing Authority provides notice that the request has been approved or denied. This policy allows families the full term (60 days, or more with extensions) to find a unit, not penalizing them for the period during which the Housing Authority is taking action on their request. A family may submit a second request for approval of tenancy before the Housing Authority finalizes action on the first request. In this case the suspension will last from the date of the first submittal through the Housing Authority's action on the second submittal. No more than two requests will be concurrently considered.

6.5 APPROVAL TO LEASE A UNIT

The Waco Housing Authority will approve a lease if all of the following conditions are met:

A. The unit is eligible;

B. The unit is inspected by the Housing Authority and passes HQS;

C. The lease is approvable and includes the following:

1. The names of the owner and the tenant;
2. The address of the unit rented;
3. The term of the lease (initial term and any provisions for renewal);
4. The amount of the monthly rent to owner;
5. A specification of what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the family; and
6. The required HUD tenancy addendum.

D. The rent to owner is reasonable;

E. The family's share of rent does not exceed 40% of their monthly adjusted income if the gross rent exceeds the applicable payment standard;

F. The owner has not been found to be debarred, suspended, or subject to a limited denial of participation by HUD or the Housing Authority; and

G. The family continues to meet all eligibility and screening criteria.

If tenancy approval is denied, the Housing Authority will advise the owner and the family in writing and advise them also of any actions they could take that would enable the Housing Authority to approve the tenancy.

The lease term may begin only after all of the following conditions are met:

A. The unit passes the Housing Authority HQS inspection;

B. The family's share of rent does not exceed 40% of their monthly adjusted income if the gross rent exceeds the applicable payment standard;

C. The landlord and tenant sign the lease to include the HUD required addendum; and

D. The Housing Authority approves the leasing of the unit.

The Housing Authority will prepare the contract when the unit is approved for tenancy. Generally, the landlord, simultaneously with the signing of the lease and

the HUD required tenancy addendum, will execute the contract. Upon receipt of the executed lease and the signed contract by the landlord, the Housing Authority will execute the contract. The Housing Authority will not pay any housing assistance to the owner until the contract is executed.

In no case will the contract be executed later than 60 days after the beginning of the lease term.

Any contract executed after the 60-day period will be void and the Housing Authority will not pay housing assistance to the owner.

6.6 Waco Housing Authority Disapproval of Owner

The Housing Authority will deny participation by an owner at the direction of HUD. The Housing Authority will also deny the owner's participation for any of the following reasons:

A. The owner has violated any obligations under a Section 8 Housing Assistance Payments Contract;

B. The owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;

C. The owner has engaged in drug-related criminal activity or any violent criminal activity;

D. The owner has a history or practice of non-compliance with HQS for units leased under Section 8 or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program;

E. The owner has a history or practice of renting units that fail to meet State or local codes;

F. The owner has not paid State or local real estate taxes, fines, or assessments;

J. The owner refuses (or has a history of refusing) to evict families for drug-related or violent criminal activity, or for activity that threatens the health, safety or right of peaceful enjoyment of the:

   3. premises by tenants, Waco Housing Authority employees or owner employees; or

   4. residences by neighbors;

K. If the owner is the parent, child, grandparent, grandchild, sister, or brother or any member of the family of an applicant seeking the initial use of a

voucher (currently shopping) unless the Waco Housing Authority determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities; or

L. Other conflicts of interest under Federal, State, or local law.

M. Landlords who are verbal or physically abusive to a WHA employee.

6.7 Ineligible/eliGIBle housing

The following types of housing cannot be assisted under the Section 8 Tenant-Based Program:

A. A public housing or Indian housing unit;

B. A unit receiving project-based assistance under a Section 8 Program;

C. Nursing homes, board and care homes, or facilities providing continual psychiatric, medical or nursing services;

D. College or other school dormitories;

E. Units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions;

F. A unit occupied by its owner. This restriction does not apply to cooperatives or to assistance on behalf of a manufactured home owner leasing a manufactured home space; and

G. A unit receiving any duplicative Federal, State, or local housing subsidy. This does not prohibit renting a unit that has a reduced rent because of a tax credit.

The Waco Housing Authority will not approve a lease for any of the following special housing types, except as a reasonable accommodation for a family with disabilities:

A. Congregate housing

B. Group homes

C. Shared housing

D. Cooperative housing

E. Single room occupancy housing

The Waco Housing Authority will approve leases for the following housing types:

A. Single family dwellings

B. Apartments

C. Manufactured housing

D. Manufactured home space rentals

E. House boats

6.8 Security deposit

The owner may collect a security deposit from the tenant in an amount not in excess of amounts charged in private market practice and not in excess of amounts charged by the owner to unassisted tenants.

When the tenant moves out of the dwelling unit, the owner, subject to State or local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid rent payable by the tenant, damages to the unit or for other amounts the tenant owes under the lease.

The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount, if any, used to reimburse the owner, the owner must refund promptly the full amount of the unused balance to the tenant.

If the security deposit is not sufficient to cover amounts the tenant owes under the lease, the owner may seek to collect the balance from the tenant.

7.0 Moves With Continued Assistance

Participating families are allowed to move to another unit after the initial 12 months has expired, if the landlord and the participant have mutually agreed to terminate the lease, or if the Housing Authority has terminated the HAP contract. The Waco Housing Authority will issue the family a new voucher if the family does not owe the Waco Housing Authority or any other Housing Authority money, has not violated a Family Obligation, has not moved or been issued a certificate or voucher within the last 12 months, and if the Waco Housing Authority has sufficient funding for continued assistance. If the move is necessitated for a reason other than family choice, the 12-month requirement will be waived.

7.1 When a Family May Move

For families already participating in the Certificate and Voucher Program, the Waco Housing Authority will allow the family to move to a new unit if:

A. The assisted lease for the old unit has terminated;

B. The owner has given the tenant a notice to vacate, has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the tenant; or

C. The tenant has given notice of lease termination (if the tenant has a right to terminate the lease on notice to the owner).

7.2 Procedures Regarding Family Moves

Families considering transferring to a new unit will be scheduled to attend a mover's briefing. All families who are moving, including any families moving into or out of the Waco Housing Authority's jurisdiction, will be required to attend a mover's briefing prior to the Waco Housing Authority entering a new HAP contract on their behalf.

This briefing is intended to provide the following:

A. A refresher on program requirements and the family's responsibilities. Emphasis will be on giving proper notice and meeting all lease requirements such as leaving the unit in good condition;

B. Information about finding suitable housing and the advantages of moving to an area that does not have a high concentration of poor families;

C. Payment standards, exception payment standard rent areas, and the utility allowance schedule;

D. An explanation that the family share of rent may not exceed 40% of the family's monthly adjusted income if the gross rent exceeds the applicable payment standard;

E. Portability requirements and opportunities;

F. The need to have a reexamination conducted within 120 days prior to the move;

G. An explanation and copies of the forms required to initiate and complete the move; and

H. All forms and brochures provided to applicants at the initial briefing.

Families are required to give proper written notice of their intent to terminate the lease. In accordance with HUD regulations, no notice requirement may exceed 60

days. During the initial term, families may not end the lease unless they and the owner mutually agree to end the lease. If the family moves from the unit before the initial term of the lease ends without the owner's and the Waco Housing Authority's approval, it will be considered a serious lease violation and subject the family to termination from the program.

The family is required to give the Waco Housing Authority a copy of the notice to terminate the lease at the same time as it gives the notice to the landlord. A family's failure to provide a copy of the lease termination notice to the Waco Housing Authority will be considered a violation of Family Obligations and may cause the family to be terminated from the program.

A family who gives notice to terminate the lease must mail the notice by certified mail or have the landlord or his agent sign a statement stating the date and time received. The family will be required to provide the certified mail receipt and a copy of the lease termination notice to the Waco Housing Authority, or a copy of the lease termination notice and the signed statement stating the date and time the notice was received. If the landlord or his/her agent does not accept the certified mail receipt, the family will be required to provide the receipt and envelope showing that the attempt was made.

Failure to follow the above procedures may subject the family to termination from the program.

8.0 Portability

8.1 General Policies of the Waco Housing Authority

A family whose head or spouse has a domicile (legal residence) or works in the jurisdiction of the Waco Housing Authority at the time the family first submits its application for participation in the program to the Waco Housing Authority may lease a unit anywhere in the jurisdiction of the Waco Housing Authority or outside the Waco Housing Authority jurisdiction as long as there is another entity operating a tenant-based Section 8 program covering the location of the proposed unit.

If the head or spouse of the assisted family does not have a legal residence or work in the jurisdiction of the Waco Housing Authority at the time of its application, the family will not have any right to lease a unit outside of the Waco Housing Authority jurisdiction for a 12-month period beginning when the family is first admitted to the program. During this period, the family may only lease a unit located in the jurisdiction of the Waco Housing Authority.

Families participating in the Voucher Program will not be allowed to move more than once in any 12-month period and under no circumstances will the Waco Housing Authority allow a participant to improperly break a lease. Under extraordinary circumstances the Waco Housing Authority may consider allowing more than one move in a 12-month period.

Families may only move to a jurisdiction where a Section 8 Program is being administered.

For income targeting purposes, the family will count towards the initial housing authority's goals unless the receiving housing authority absorbs the family. If absorbed, the admission will count towards the receiving housing authority's goals.

If a family has moved out of their assisted unit in violation of the lease, the Waco Housing Authority will not issue a voucher and will terminate assistance in compliance with Section 17.0, Termination of the Lease and Contract.

8.2 Income Eligibility

A. A family must be income-eligible in the area where the family first leases a unit with assistance in the Voucher Program.

B. If a portable family is already a participant in the Initial Housing Authority's Voucher Program, income eligibility is not re-determined.

8.3 Portability: Administration by Receiving Housing Authority

A. When a family utilizes portability to move to an area outside the Initial Housing Authority jurisdiction, another Housing Authority (the Receiving Housing Authority) must administer assistance for the family if that Housing Authority has a tenant-based program covering the area where the unit is located.

B. A Housing Authority with jurisdiction in the area where the family wants to lease a unit must issue the family a voucher. If there is more than one such housing authority, the Initial Housing Authority may choose which housing authority shall become the Receiving Housing Authority.

8.4 Portability Procedures

A. When the Waco Housing Authority is the Initial Housing Authority:

1. The Waco Housing Authority will brief the family on the process that must take place to exercise portability. The family will be required to attend an applicant or mover's briefing.

2. The Waco Housing Authority will determine whether the family is income-eligible in the area where the family wants to lease a unit (if applicable).

3. The Waco Housing Authority will advise the family how to contact and request assistance from the Receiving Housing Authority.

4. The Waco Housing Authority will, within ten (10) calendar days, notify the Receiving Housing Authority to expect the family.

5. The Waco Housing Authority will immediately mail to the Receiving Housing Authority the most recent HUD Form 50058 (Family Report) for the family, and related verification information.

B. When the Waco Housing Authority is the Receiving Housing Authority:

1. When the portable family requests assistance from the Waco Housing Authority, the Waco Housing Authority will within ten (10) calendar days inform the Initial Housing Authority whether it will bill the Initial Housing Authority for assistance on behalf of the portable family, or absorb the family into its own program. When the Waco Housing Authority receives a portable family, the family will be absorbed if funds are available and a voucher will be issued.

2. The Waco Housing Authority will issue a voucher to the family. The term of the Waco Housing Authority's voucher will not expire before the expiration date of any Initial Housing Authority's voucher. The Waco Housing Authority will determine whether to extend the voucher term. The family must submit a request for tenancy approval to the Waco Housing Authority during the term of the Waco Housing Authority's voucher.

3. The Waco Housing Authority will determine the family unit size for the portable family. The family unit size is determined in accordance with the Waco Housing Authority's subsidy standards.

4. The Waco Housing Authority will within ten (10) calendar days notify the Initial Housing Authority if the family has leased an eligible unit under the program, or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the voucher.

5. If the Waco Housing Authority opts to conduct a new reexamination, the Waco Housing Authority will not delay issuing the family a voucher or otherwise delay approval of a unit unless the re-certification is necessary to determine income eligibility.

6. In order to provide tenant-based assistance for portable families, the Waco Housing Authority will perform all Housing Authority

program functions, such as reexaminations of family income and composition. At any time, either the Initial Housing Authority or the Waco Housing Authority may make a determination to deny or terminate assistance to the family in accordance with 24 CFR 982.552.

7. The Waco Housing Authority may deny or terminate assistance for family action or inaction in accordance with 24 CFR 982.552 and 24 CFR 982.553.

C. Absorption by the Waco Housing Authority

1. If funding is available under the consolidated ACC for the Waco Housing Authority's Voucher Program when the portable family is received, the Waco Housing Authority will absorb the family into its Voucher Program. After absorption, the family is assisted with funds available under the consolidated ACC for the Waco Housing Authority's Tenant-Based Program.

D. Portability Billing

1. To cover assistance for a portable family, the Receiving Housing Authority may bill the Initial Housing Authority for housing assistance payments and administrative fees. The billing procedure will be as follows:

a. As the Initial Housing Authority, the Waco Housing Authority will promptly reimburse the Receiving Housing Authority for the full amount of the housing assistance payments made by the Receiving Housing Authority for the portable family. The amount of the housing assistance payment for a portable family in the Receiving Housing Authority's program is determined in the same manner as for other families in the Receiving Housing Authority's program.

b. The Initial Housing Authority will promptly reimburse the Receiving Housing Authority for 80% of the Initial Housing Authority's on-going administrative fee for each unit month that the family receives assistance under the tenant-based programs and is assisted by the Receiving Housing Authority. If both Housing Authorities agree, we may negotiate a different amount of reimbursement.

E. When a Portable Family Moves

When a portable family moves out of the tenant-based program of a Receiving Housing Authority that has not absorbed the family, the

Housing Authority in the new jurisdiction to which the family moves becomes the Receiving Housing Authority, and the first Receiving Housing Authority is no longer required to provide assistance for the family.

9.0 Determination of Family Income

9.1 Income, Exclusions From Income, Deductions From Income

To determine annual income, the Waco Housing Authority counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the Waco Housing Authority subtracts all allowable deductions (allowances) as the next step in determining the Total Tenant Payment.

9.2 Income

A. Annual income means all amounts, monetary or not, that:

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. Are not specifically excluded from annual income.

B. 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 are not 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 is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

5. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not 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 an investment is 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 includes 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. Checking and savings account balances less than $500 will be considered normal amounts used for daily living expenses. The most recent six (6) months statements of verification will be used as documentation.

5. 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. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)

6. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)

7. Welfare assistance.

   a. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:

      i. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

      ii. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this

requirement is the amount resulting from one application of the percentage.

b. 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.

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

8. 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.

9. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)

9.3 Exclusions From Income

Annual income does not include the following:

A. Income from employment of children (including foster children) under the age of 18 years;

B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

C. 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;

D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

E. Income of a live-in aide;

F. The full amount of student financial assistance paid directly to the student or to the educational institution;

G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

H. The amounts received from the following programs:

1. Amounts received under training programs funded by HUD;

2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;

4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiative coordination. No resident may receive more than one such stipend during the same period of time;

5. 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. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;

6. Temporary, nonrecurring, or sporadic income (including gifts);

7. 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;

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

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

10. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
11. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

12. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

13. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits.

These exclusions include:

a. The value of the allotment of food stamps

b. Payments to volunteers under the Domestic Volunteer Services Act of 1973

c. Payments received under the Alaska Native Claims Settlement Act

d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes

e. Payments made under HHS's Low-Income Energy Assistance Program

f. Payments received under the Job Training Partnership Act

g. Income from the disposition of funds of the Grand River Band of Ottawa Indians

h. The first $2000 per capita received from judgment funds awarded for certain Indian claims

i. Amount of scholarships awarded under Title IV including Work-Study

j. Payments received under the Older Americans Act of 1965

k. Payments from Agent Orange Settlement

l. Payments received under the Maine Indian Claims Act

m. The value of child care under the Child Care and Development Block Grant Act of 1990

n. Earned income tax credit refund payments

o. Payments for living expenses under the AmeriCorps Program

9.4 Deductions From Annual Income

The following deductions will be made from annual income:

A. $480 for each dependent

B. $400 for any elderly family or disabled family

C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 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 the person with disabilities.

D. For any elderly or disabled family:

1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;

2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;

3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.

E. Child care expenses.

10.0 Verification

The Waco Housing Authority will verify information related to waiting list preferences, eligibility, admission and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations, full-time student status of family members 18 years of age and

older, Social Security Numbers, citizenship/eligible noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

10.1 Acceptable Methods of Verification

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

Minor members may be added to the household using the following forms of verifications:

Temporary custody – Power of Attorney (P.O.A.) signed by parent, guardian, and legal attorney. Document must have legal seal.

Adoptions – Must have complete legal documents that are other than power of attorney which specifically states that the minor(s) have full residency with the family and persons adopting minors have full custody. Other information will be verified by third party verification. This type of verification includes written documentation (with forms sent directly to and received directly from a source, not passed through the hands of the family). This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the Waco Housing Authority or automatically by another government agency, i.e., the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e., name date of contact, amount received, etc.

When third party verification cannot be obtained, the Waco Housing Authority will accept documentation received from the applicant/participant. Hand-carried documentation will be accepted if the Waco Housing Authority has been unable to obtain third party verification in a four week period of time. Photocopies of the documents provided by the family will be maintained in the file.

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

10.2 Types of Verification

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the Waco Housing Authority will send a request form to the source along with a release form signed by the applicant/participant via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Adding minors to household	Power of Attorney Legal Adoption Document	Signatures of legal parent, guardian, attorney, attorney seal All applicable signatures/seals
Child care costs	Letter from care provider	Bills and receipts(at least most recent 6 months)
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment (1 year within reexam period)
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls (1 year within reexam period)
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current 6 months statements
CDs, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond 1 yr
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet 1 yr
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return 1 yr
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than	N/A	Original receipt and receipt at

form **HUD 50075** (03/2003)

Verification Requirements for Individual Items		
Item to Be Verified	3rd party verification	Hand-carried verification
fair market value		disposition, other evidence of worth
Income		
Earned income	Letter from employer	Multiple pay stubs with application only
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence 1 yr (most recent)
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers' comp, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating - whether enrolled - whether training is HUD-funded - whether State or local program - whether it is employment training - whether payments are for out- of-pocket expenses incurred in order to participate in a program	N/A

10.3 Verification of Citizenship or Eligible Noncitizen Status

The citizenship/eligible noncitizen status of each family member regardless of age must be determined.

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

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

Prior to being admitted or at the first reexamination, all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their

original INS documentation. The Waco Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The Waco Housing Authority also will verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Waco Housing Authority will mail information to the INS so a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals or eligible noncitizens, or whose status cannot be confirmed, must be listed on a statement of non-eligible members and the list must be signed by the head of the household.

Noncitizen students on student visas, though in the country legally, are eligible to be admitted to the Section 8 Program.

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

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

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

If the Waco Housing Authority determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their Section 8 unit, the family’s assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.

10.4 Verification of Social Security Numbers

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

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

If individuals state that they do not have a Social Security Number they will be required to sign a statement to this effect. The Waco Housing Authority will not require any individual who does not have a Social Security Number to obtain a Social Security Number.

If a member of an applicant family indicates they have a Social Security Number,

but cannot readily verify it, the family cannot be assisted until verification is provided.

If a member of a tenant family indicates they have a Social Security Number, but cannot readily verify it, they shall be asked to certify to this fact and shall up to 60 days to provide the verification. If the individual is at least 62 years of age, they will be given 120 days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be denied assistance or will have their assistance terminated.

10.5 Timing of Verification

Verification must be dated within sixty (60) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update only those elements reported to have changed.

10.6 Frequency of Obtaining Verification

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

For each family member age 6 and above, verification of Social Security Number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security Number at admission receives a Social Security Number, that number will be verified at the next regular reexamination. Likewise, when a child turns six, their verification will be obtained at the next regular reexamination.

11.0 Rent and Housing Assistance Payment

11.1 General

Waco Housing Authority
Since October 1, 1999, the Waco Housing Authority only issues vouchers to applicants, movers, and families entering the jurisdiction through portability.

11.2 Rent Reasonableness

The Housing Authority will not approve an initial rent or a rent increase in any of the tenant-based programs without determining that the rent amount is reasonable. Reasonableness is determined prior to the initial lease and at the following times:

A. Before any increase in rent to owner is approved;

B. If 60 days before the contract anniversary date there is a 5% decrease in the published FMR as compared to the previous FMR; and

C. If the Housing Authority or HUD directs that reasonableness be re-determined.

11.3 Comparability

In making a rent reasonableness determination, the Housing Authority will compare the rent for the unit to the rent of comparable units in the same or comparable neighborhoods. The Housing Authority will consider the location, quality, size, number of bedrooms, age, amenities, housing services, maintenance and utilities of the unit and the comparable units.

The Housing Authority will maintain current survey information on rental units in the jurisdiction. The Housing Authority will also obtain from landlord associations and management firms the value of the array of amenities.

The Housing Authority will establish minimum base rent amounts for each unit type and bedroom size. To the base the Housing Authority will be able to add or subtract the dollar value for each characteristic and amenity of a proposed unit.

Owners are invited to submit information to the survey at any time. Owners may review the determination made on their unit and may submit additional information or make improvements to the unit that will enable the Housing Authority to establish a higher value.

The owner must certify the rents charged for other units. By accepting the housing assistance payment each month the owner is certifying that the rent to owner is not more than the rent charged by the owner for comparable unassisted units in the premises.

11.4 Maximum Subsidy

The Fair Market Rent (FMR) published by HUD, gross rent or the exception payment standard rent (requested by the Waco Housing Authority and approved by HUD) determines the maximum subsidy for a family.

For the Voucher Program, the minimum payment standard will be 90% of the FMR and the maximum payment standard will be 110% of the FMR without prior approval from HUD, or the exception payment standard approved by HUD.

For a voucher tenancy in an insured or noninsured 236 project, a 515 project of the Rural Development Administration, or a Section 221(d)(3) below market interest rate project the payment standard may not exceed the basic rent charged including the cost of tenant-paid utilities.

For manufactured home space rental, the maximum subsidy under any form of assistance is the Fair Market Rent for the space as outlined in 24 CFR 982.888.

11.4.1 Setting the Payment Standard

The Statute requires that the payment standard be set by the Housing Authority at between 90 and 110% of the FMR without HUD's prior approval. The Waco Housing Authority will review its determination of the payment standard annually after publication of the FMRs. The Waco Housing Authority will consider vacancy rates and rents in the market area, size and quality of units leased under the program, rents for units leased under the program, success rates of voucher holders in finding units, and the percentage of annual income families are paying for rent under the Voucher Program. If it is determined that success rates will suffer or that families are having to rent low quality units or pay over 40% of income for rent, the payment standard may be raised to the level judged necessary to alleviate these hardships.

The Waco Housing Authority may establish a higher payment standard (although still within 110% of the published fair market rent) as a reasonable accommodation for a family that includes people with disabilities.

Payment standards will not be raised solely to allow the renting of luxury quality units.

If success levels are projected to be extremely high and rents are projected to be at or below 30% of income, the Housing Authority will reduce the payment standard. Payment standards for each bedroom size are evaluated separately so that the payment standard for one bedroom size may increase or decrease while another remains unchanged. The Waco Housing Authority may consider adjusting payment standards at times other than the annual review when circumstances warrant.

Before increasing any payment standard, the Housing Authority will conduct a financial feasibility test to ensure that in using the higher standard, adequate funds will continue to be available to assist families in the program.

11.4.2 Selecting the Correct Payment Standard for a Family

A. For the voucher tenancy, the payment standard for a family is the lower of:

   1. The payment standard for the family unit size; or

   2. The payment standard for the unit size rented by the family.

B. If the unit rented by a family is located in an exception rent area, the Housing Authority will use the appropriate payment standard for the exception rent area.

C. During the HAP contract term for a unit, the amount of the payment standard for a family is the higher of:

1. The initial payment standard (at the beginning of the lease term) minus any amount by which the initial rent to owner exceeds the current rent to owner; or

2. The payment standard as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.

D. At the next annual reexamination following a change in family size or composition during the HAP contract term and for any reexamination thereafter, paragraph C above does not apply.

E. If there is a change in family unit size resulting from a change in family size or composition, the new family unit size will be considered when determining the payment standard at the next annual reexamination.

11.4.3 Area Exception Rents

In order to help families find housing outside areas of high poverty or when voucher holders are having trouble finding housing for lease under the program, the Housing Authority may request that HUD approve an exception payment standard rent for certain areas within its jurisdiction. The areas may be of any size, though generally not smaller than a census tract. The Housing Authority may request one such exception payment standard area or many. Exception payment standard rent authority may be requested for all or some unit sizes, or for all or some unit types. The exception payment standard area(s) may not contain more than 50% of the population of the FMR area.

When an exception payment standard rent has been approved and the FMR increases, the exception rent remains unchanged until such time as the Housing Authority requests and HUD approves a higher exception payment standard rent. If the FMR decreases, the exception payment standard rent authority automatically expires.

11.5 Assistance and Rent Formulas

A. Total Tenant Payment

The total tenant payment is equal to the highest of:

1. 10% of monthly income

2. 30% of adjusted monthly income

3. Minimum rent

4. The welfare rent

Plus any rent above the payment standard.

B. Minimum Rent.

The Waco Housing Authority has set the minimum rent as $ 50.00. The Waco Housing Authority can only increase contract rent by $50 per year." However, if the family requests a hardship exemption, the Waco Housing Authority will suspend the minimum rent for the family beginning the month following the family's hardship request. The suspension will continue until the Housing Authority can determine whether hardship exists and whether the hardship is of a temporary or long-term nature. During suspension, the family will not be required to pay a minimum rent and the Housing Assistance Payment will be increased accordingly.

1. A hardship exists in the following circumstances:

   a. When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State or local assistance program;

   b. When the family would be evicted as a result of the imposition of the minimum rent requirement;

   c. When the income of the family has decreased because of changed circumstances, including loss of employment;

   d. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;

   e. When a death has occurred in the family.

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

3. Temporary hardship. If the Housing Authority determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of

suspension. The Housing Authority will offer a reasonable repayment agreement for any minimum rent back payment paid by the Housing Authority on the family's behalf during the period of suspension.

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

5. Repayment Agreement & Inspector General Referral. A family who owes the housing authority for failure to report income; overpayment of utility allowances due to failure to report income; hardship; fraud; or other reasons, will be referred to the Inspector General for fraud follow up. Families owing not more than $1000.00 will be eligible to enter into a payment agreement at the discretion of WHA. Amounts owed WHA for failure to report income which would total a $2400 change in HAP (Housing Assistance Payment) a year will be referred to the Inspector General.

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

C. Section 8 Merged Vouchers

1. The payment standard is set by the Housing Authority between 90% and 110% of the FMR or higher or lower with HUD approval.

2. The participant pays the greater of the Total Tenant Payment or the minimum rent, plus the amount by which the gross rent exceeds the payment standard.

No participant when initially receiving tenant-based assistance on a unit shall pay more than 40% of their monthly-adjusted income if the gross rent exceeds the applicable payment standard.

D. Section 8 Preservation Vouchers

1. Payment Standard

a. The payment standard is the lower of:

i. The payment standard amount for the appropriate family unit size; or

ii. The payment standard amount for the size of the dwelling unit actually rented by the family.

b. If the dwelling unit is located in an exception area, the Waco Housing Authority will use the appropriate payment standard for the exception area.

c. During the HAP contract term, the payment standard for the family is the higher of :

i. The initial payment standard (at the beginning of the HAP contract term), as determined in accordance with paragraph (1)(a) or (1)(b) of this section, minus any amount by which the initial rent to the owner exceeds the current rent to the owner; or

ii. The payment standard as determined in accordance with paragraph (1)(a) or (1)(b) of this section, as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.

d. At the next regular reexamination following a change in family composition that causes a change in family unit size during the HAP contract term, and for any examination thereafter during the term:

i. Paragraph (c)(i) of this section does not apply; and

ii. The new family unit size must be used to determine the payment standard.

2. The Waco Housing Authority will pay a monthly housing assistance payment on behalf of the family that equals the lesser of:

a. The payment standard minus the total tenant payment; or

b. The gross rent minus the total tenant payment.

E. Manufactured Home Space Rental: Section 8 Vouchers

1. The payment standard for a participant renting a manufactured home space is the published FMR for rental of a manufactured home space.

2. The space rent is the sum of the following as determined by the Housing Authority:

a. Rent to the owner for the manufactured home space;

b. Owner maintenance and management charges for the space; and

c. Utility allowance for tenant paid utilities.

3. The participant pays the rent to owner less the HAP.

4. HAP equals the lesser of:

a. The payment standard minus the total tenant payment; or

b. The rent paid for rental of the real property on which the manufactured home owned by the family is located.

5. A participant who owns a manufactured home may receive assistance for space only.

F. Rent for Families under the Noncitizen Rule

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

1. The family was receiving assistance on June 19, 1995;

2. The family was granted continuation of assistance before November 29, 1996;

3. The family's head or spouse has eligible immigration status; and

4. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

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

Authority will provide additional search periods up to the maximum time allowable.

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

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

1. Find the prorated housing assistance payment (HAP) by dividing the HAP by the total number of family members, and then multiplying the result by the number of eligible family members.

2. Obtain the prorated family share by subtracting the prorated HAP from the gross rent (contract rent plus utility allowance).

3. The prorated tenant rent equals the prorated family share minus the full utility allowance.

11.6 Utility allowance

The Housing Authority maintains a utility allowance schedule for all tenant-paid utilities (except telephone), for cost of tenant-supplied refrigerators and ranges, and for other tenant-paid housing services (e.g., trash collection (disposal of waste and refuse)).

The utility allowance schedule is determined 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. In developing the schedule, the Housing Authority uses normal patterns of consumption for the community as a whole and current utility rates.

The Housing Authority reviews the utility allowance schedule annually and revises any allowance for a utility category if there has been a change of 10% or more in the utility rate since the last time the utility allowance schedule was revised. The Housing Authority maintains information supporting the annual review of utility allowances and any revisions made in its utility allowance schedule. Participants may review this information at any time by making an appointment with the Section 8 Department.

The Housing Authority uses 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 Housing Authority subsidy standards).

At each reexamination, the Housing Authority applies the utility allowance from the most current utility allowance schedule.

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

11.7 Distribution of Housing Assistance Payment

The Housing Authority pays the owner (the lessor) of housing assisted property housing assistance payments (rent to owner) by the first of each month. Housing assistance payments are considered late to the owner if not postmarked by the fifth of the month. If payments are not made when due (the first through the fifth of each month), the owner may request of the Waco Housing Authority a one time late fee payment in the amount of $25.00. Late fees will not be paid when the reason for the lateness is attributable to factors beyond the control of the Waco Housing Authority such as weather, postal services or incorrect mailing address.

11.8 Change of Ownership

The Waco Housing Authority requires a written request by the owner who executed the HAP contract in order to make changes regarding who is to receive the Waco Housing Authority's rent payment or the address as to where the rent payment should be sent.

In addition, the Waco Housing Authority requires a written request from the new owner to process a change of ownership. The following documents must accompany the written request:

A. Deed of Trust showing the transfer of title; and

B. Tax Identification Number or Social Security Number.

New owners will be required to execute IRS form W-9. The Waco Housing Authority may withhold the rent payment until the taxpayer identification number is received.

12.0 Inspection Policies, Housing Quality Standards, and Damage Claims

The Waco Housing Authority will inspect all units to ensure that they meet Housing Quality Standards (HQS). No unit will be initially placed on the Section 8 Existing Program unless the HQS is met. Units will be inspected at least annually, and at other times as needed, to determine if the units meet HQS.

The Waco Housing Authority must be allowed to inspect the dwelling unit at reasonable times with reasonable notice. The family and owner will be notified of the inspection appointment by first class mail. If the family cannot be at home for the scheduled inspection appointment, the family must call and reschedule the inspection.

If the family misses the scheduled inspection and fails to reschedule the inspection, the Waco Housing Authority will only schedule one more inspection. If the family misses two inspections; the Waco Housing Authority will consider the family to have violated a Family Obligation and their assistance will be terminated.

12.1 Types of Inspections

There are seven types of inspections the Waco Housing Authority will perform:

A. Initial Inspection - An inspection that must take place to insure that the unit passes HQS before assistance can begin.

B. Annual Inspection - An inspection to determine that the unit continues to meet HQS.

C. Complaint Inspection - An inspection caused by the Authority receiving a complaint on the unit by anyone.

D. Special Inspection - An inspection caused by a third party, i.e., HUD, needing to view the unit.

E. Emergency - An inspection that takes place in the event of a perceived emergency. These will take precedence over all other inspections.

F. Move Out Inspection (if applicable) - An inspection required for units in service before October 2, 1995, and optional after that date. These inspections document the condition of the unit at the time of the move-out.

G. Quality Control Inspection - Supervisory inspections on at least 5% of the total number of units that were under lease during the Housing Authority's previous fiscal year.

12.2 Owner and Family Responsibility

A. Owner Responsibility for HQS

1. The owner must maintain the unit in accordance with HQS.

2. If the owner fails to maintain the dwelling unit in accordance with HQS, the Waco Housing Authority will take prompt and vigorous action to enforce the owner obligations. The Waco Housing Authority's remedies for such breach of the HQS include termination, suspension or reduction of housing assistance payments and termination of the HAP contract.

3. The Waco Housing Authority will not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the Waco Housing Authority and the Waco Housing Authority verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects the owner must correct the defect within no more than 30 calendar days (or any Waco Housing Authority approved extension).

4. The owner is not responsible for a breach of the HQS that is not caused by the owner, and for which the family is responsible. Furthermore, the Waco Housing Authority may terminate assistance to a family because of the HQS breach caused by the family.

B. Family Responsibility for HQS

1. The family is responsible for a breach of the HQS that is caused by any of the following:

   a. The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant;

   b. The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant; or

   c. Any member of the household or a guest damages the dwelling unit or premises (damage beyond ordinary wear and tear).

2. If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any Waco Housing Authority approved extension).

3. If the family has caused a breach of the HQS, the Waco Housing Authority will take prompt and vigorous action to enforce the

family obligations. The Waco Housing Authority may terminate assistance for the family in accordance with 24 CFR 982.552.

12.3 Housing Quality Standards (HQS) 24 CFR 982.401

This Section states performance and acceptability criteria for these key aspects of the following housing quality standards:

A. Sanitary Facilities

1. Performance Requirement

The dwelling unit must include sanitary facilities located in the unit. The sanitary facilities must be in proper operating condition and adequate for personal cleanliness and the disposal of human waste. The sanitary facilities must be usable in privacy.

2. Acceptability Criteria

a. The bathroom must be located in a separate private room and have a flush toilet in proper operating condition.

b. The dwelling unit must have a fixed basin in proper operating condition, with a sink trap and hot and cold running water.

c. The dwelling unit must have a shower or a tub in proper operating condition with hot and cold running water.

d. The facilities must utilize an approvable public or private disposal system (including a locally approvable septic system).

B. Food Preparation and Refuse Disposal

1. Performance Requirements

a. The dwelling unit must have suitable space and equipment to store, prepare, and serve foods in a sanitary manner.

b. There must be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage where necessary (e.g., garbage cans).

2. Acceptability Criteria

a. The dwelling unit must have an oven, a stove or range, and a refrigerator of appropriate size for the family. All of the

equipment must be in proper operating condition. Either the owner or the family may supply the equipment. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.

b. The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approvable public or private system.

c. The dwelling unit must have space for the storage, preparation, and serving of food.

d. There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage cans).

C. Space and Security

1. Performance Requirement

The dwelling unit must provide adequate space and security for the family.

2. Acceptability Criteria

a. At a minimum, the dwelling unit must have a living room, a kitchen area, and a bathroom.

b. The dwelling unit must have at least one bedroom or living/ sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.

c. Dwelling unit windows that are accessible from the outside, such as basement, first floor, and fire escape windows, must be lockable (such as window units with sash pins or sash locks, and combination windows with latches). Windows that are nailed shut are acceptable only if these windows are not needed for ventilation or as an alternate exit in case of fire.

d. The exterior doors of the dwelling unit must be lockable. Exterior doors are doors by which someone can enter or exit the dwelling unit.

D. Thermal Environment

1. Performance Requirement

The dwelling unit must have and be capable of maintaining a thermal environment healthy for the human body.

2. Acceptability Criteria

a. There must be a safe system for heating the dwelling unit (and a safe cooling system, where present). The system must be in proper operating condition. The system must be able to provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room, in order to assure a healthy living environment appropriate to the climate.

b. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.

E. Illumination and Electricity

1. Performance Requirement

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. The electrical fixtures and wiring must ensure safety from fire.

2. Acceptability Criteria

a. There must be at least one window in the living room and in each sleeping room.

b. The kitchen area and the bathroom must have a permanent ceiling or wall light fixture in proper operating condition. The kitchen area must also have at least one electrical outlet in proper operating condition.

c. The living room and each bedroom must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

F. Structure and Materials

1. Performance Requirement
The dwelling unit must be structurally sound. The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.

2. Acceptability Criteria

a. Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.

b. The roof must be structurally sound and weather tight.

c. The exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.

d. The condition and equipment of interior and exterior stairs, halls, porches, walkways, etc., must not present a danger of tripping and falling. For example, broken or missing steps or loose boards are unacceptable.

e. Elevators must be working and safe.

G. Interior Air Quality

1. Performance Requirement

The dwelling unit must be free of pollutants in the air at levels that threaten the health of the occupants.

2. Acceptability Criteria

a. The dwelling unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.

b. There must be adequate air circulation in the dwelling unit.

c. Bathroom areas must have one window that can be opened or other adequate exhaust ventilation.

d. Any room used for sleeping must have at least one window. If the window is designed to be opened, the window must work.

H. Water Supply

1. Performance Requirement

The water supply must be free from contamination.

2. Acceptability Criteria

The dwelling unit must be served by an approvable public or private water supply that is sanitary and free from contamination.

I. Lead-based Paint

1. Definitions

a. Chewable surface: Protruding painted surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age; for example, protruding corners, window sills and frames, doors and frames, and other protruding woodwork.

b. Component: An element of a residential structure identified by type and location, such as a bedroom wall, an exterior window sill, a baseboard in a living room, a kitchen floor, an interior window sill in a bathroom, a porch floor, stair treads in a common stairwell, or an exterior wall.

c. Defective paint surface: A surface on which the paint is cracking, scaling, chipping, peeling, or loose.

d. Elevated blood level (EBL): Excessive absorption of lead. Excessive absorption is a confirmed concentration of lead in whole blood of 20 ug/dl (micrograms of lead per deciliter) for a single test or of 15-19 ug/dl in two consecutive tests 3-4 months apart.

e. HEPA: A high efficiency particle accumulator as used in lead abatement vacuum cleaners.

f. Lead-based paint: A paint surface, whether or not defective, identified as having a lead content greater than or equal to 1 milligram per centimeter squared (mg/cm^2), or 0.5 % by weight or 5000 parts per million (PPM).

2. Performance Requirements

a. The purpose of this paragraph of this Section is to implement Section 302 of the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4822, by establishing procedures to

eliminate as far as practicable the hazards of lead-based paint poisoning for units assisted under this part. This paragraph is issued under 24 CFR 35.24(b)(4) and supersedes, for all housing to which it applies, the requirements of subpart C of 24 CFR part 35.

b. The requirements of this paragraph of this Section do not apply to 0-bedroom units, units that are certified by a qualified inspector to be free of lead-based paint, or units designated exclusively for the elderly. The requirements of subpart A of 24 CFR part 35 apply to all units constructed prior to 1978 covered by a HAP contract under part 982.

c. If a dwelling unit constructed before 1978 is occupied by a family that includes a child under the age of six years, the initial and each periodic inspection (as required under this part) must include a visual inspection for defective paint surfaces. If defective paint surfaces are found, such surfaces must be treated in accordance with paragraph k of this Section.

d. The Housing Authority may exempt from such treatment defective paint surfaces that are found in a report by a qualified lead-based paint inspector not to be lead-based paint, as defined in paragraph 1(f) of this Section. For purposes of this Section, a qualified lead-based paint inspector is a State or local health or housing agency, a lead-based paint inspector certified or regulated by a State or local health or housing agency, or an organization recognized by HUD.

e. Treatment of defective paint surfaces required under this Section must be completed within 30 calendar days of Housing Authority notification to the owner. When weather conditions prevent treatment of the defective paint conditions on exterior surfaces with in the 30-day period, treatment as required by paragraph k of this Section may be delayed for a reasonable time.

f. The requirements in this paragraph apply to:

i. All painted interior surfaces within the unit (including ceilings but excluding furniture);

ii. The entrance and hallway providing access to a unit in a multi-unit building; and

iii. Exterior surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age (including walls, stairs, decks, porches, railings, windows and doors, but excluding outbuildings such as garages and sheds).

g. In addition to the requirements of paragraph c of this Section, for a dwelling unit constructed before 1978 that is occupied by a family with a child under the age of six years with an identified EBL condition, the initial and each periodic inspection (as required under this part) must include a test for lead-based paint on chewable surfaces. Testing is not required if previous testing of chewable surfaces is negative for lead-based paint or if the chewable surfaces have already been treated.

h. Testing must be conducted by a State or local health or housing agency, an inspector certified or regulated by a State or local health or housing agency, or an organization recognized by HUD. Lead content must be tested by using an X-ray fluorescence analyzer (XRF) or by laboratory analysis of paint samples. Where lead-based paint on chewable surfaces is identified, treatment of the paint surface in accordance with paragraph k of this Section is required, and treatment shall be completed within the time limits in paragraph c of this Section.

i. The requirements in paragraph g of this Section apply to all protruding painted surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age:

i. Within the unit;

ii. The entrance and hallway providing access to a unit in a multi-unit building; and

iii. Exterior surfaces (including walls, stairs, decks, porches, railings, windows and doors, but excluding outbuildings such as garages and sheds).

j. In lieu of the procedures set forth in paragraph g of this Section, the Housing Authority may, at its discretion, waive the testing requirement and require the owner to treat all interior and exterior chewable surfaces in accordance with the methods set out in paragraph k of this Section.

k. Treatment of defective paint surfaces and chewable surfaces must consist of covering or removal of the paint in accordance with the following requirements:

i. A defective paint surface shall be treated if the total area of defective paint on a component is:

(1) More than 10 square feet on an exterior wall;

(2) More than 2 square feet on an interior or exterior component with a large surface area, excluding exterior walls and including, but not limited to, ceilings, floors, doors, and interior walls;

(3) More than 10% of the total surface area on an interior or exterior component with a small surface area, including, but not limited to, windowsills, baseboards and trim.

ii. Acceptable methods of treatment are the following: removal by wet scraping, wet sanding, chemical stripping on or off site, replacing painted components, scraping with infra-red or coil type heat gun with temperatures below 1100 degrees, HEPA vacuum sanding, HEPA vacuum needle gun, contained hydroblasting or high pressure wash with HEPA vacuum, and abrasive sandblasting with HEPA vacuum. Surfaces must be covered with durable materials with joint edges sealed and caulked as needed to prevent the escape of lead contaminated dust.

iii. Prohibited methods of removal are the following: open flame burning or torching, machine sanding or grinding without a HEPA exhaust, uncontained hydroblasting or high pressure wash, and dry scraping except around electrical outlets or except when treating defective paint spots no more than two square feet in any one interior room or space (hallway, pantry, etc.) or totaling no more than twenty square feet on exterior surfaces.

iv. During exterior treatment soil and playground equipment must be protected from contamination.

v. All treatment procedures must be concluded with a thorough cleaning of all surfaces in the room or area of treatment to remove fine dust particles. Cleanup must be accomplished by wet washing surfaces with a lead solubilizing detergent such as trisodium phosphate or an equivalent solution.

vi. Waste and debris must be disposed of in accordance with all applicable Federal, State, and local laws.

l. The owner must take appropriate action to protect residents and their belongings from hazards associated with treatment procedures. Residents

must not enter spaces undergoing treatment until cleanup is completed. Personal belongings that are in work areas must be relocated or otherwise protected from contamination.

m. Prior to execution of the HAP contract, the owner must inform the Housing Authority and the family of any knowledge of the presence of lead-based paint on the surfaces of the residential unit.

n. The Housing Authority must attempt to obtain annually from local health agencies the names and addresses of children with identified EBLs and must annually match this information with the names and addresses of participants under this part. If a match occurs, the Housing Authority must determine whether local health officials have tested the unit for lead-based paint. If the unit has lead-based paint, the Housing Authority must require the owner to treat the lead-based paint. If the owner does not complete the corrective actions required by this Section, the family must be issued a voucher to move.

o. The Housing Authority must keep a copy of each inspection report for at least three years. If a dwelling unit requires testing, or if the dwelling unit requires treatment of chewable surfaces based on the testing, the Housing Authority must keep the test results indefinitely and, if applicable, the owner certification and treatment. The records must indicate which chewable surfaces in the dwelling units have been tested and which chewable surfaces were tested or tested and treated in accordance with the standards prescribed in this Section, such chewable surfaces do not have to be tested or treated at any subsequent time.

J. Access

1. Performance Requirement

The dwelling unit must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).

K. Site and Neighborhood

1. Performance Requirement

The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.

2. Acceptability Criteria

The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

L. Sanitary Condition

1. Performance Requirement

The dwelling unit and its equipment must be in sanitary condition.

2. Acceptability Criteria

The dwelling unit and its equipment must be free of vermin and rodent infestation.

M. Smoke Detectors

1. Performance Requirements

a. Except as provided in paragraph b below of this Section, each dwelling unit must have at least one battery-operated or hard-wired smoke detector, in proper operating condition, on each level of the dwelling unit, including basements but excepting crawl spaces and unfinished attics. Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, smoke detectors must have an alarm system, designed for hearing-impaired persons as specified in NFPA 74 (or successor standards).

b. For units assisted prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors prior to April 24, 1993, in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992 (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to

change the location of the smoke detectors that have already been installed on the other floors of the unit).

12.4 Exceptions to the HQS Acceptability Criteria

The Waco Housing Authority will utilize the acceptability criteria as outlined above with applicable State and local codes. Additionally, the Waco Housing Authority has received HUD approval to require the following additional criteria:

A. In each room, there will be at least one exterior window that can be opened and that contains a screen.

B. Owners will be required to scrape peeling paint and repaint all surfaces cited for peeling paint with 2 coats of non-lead paint. An extension may be granted as a severe weather related item as defined below.

C. Adequate heat shall be considered to be 68 degrees.

D. In units where the tenant must pay for utilities, each unit must have separate metering device(s) for measuring utility consumption.

E. A ¾" overflow pipe must be present on the hot water heater safety valves and installed down to within 6 inches of the floor.

12.5 Time Frames and Corrections of HQS Fail Items

A. Correcting Initial HQS Fail Items

The Waco Housing Authority will schedule a timely inspection of the unit on the date the owner indicates that the unit will be ready for inspection, or as soon as possible thereafter (within 3 working days) upon receipt of a Request for Tenancy Approval. The owner and participant will be notified in writing of the results of the inspection. If the unit fails HQS again, the owner and the participant will be advised to notify the Waco Housing Authority to reschedule a re-inspection when the repairs have been properly completed.

On an initial inspection, the owner will be given up to 30 days to correct the items noted as failed, depending on the extent of the repairs that are required to be made. No unit will be placed in the program until the unit meets the HQS requirements.

B. HQS Fail Items for Units under Contract

The owner or participant will be given time to correct the failed items cited on the inspection report for a unit already under contract. If the failed items endanger the family's health or safety (using the emergency item in Section 12.6), the owner or participant will be given 24 hours to correct the violations. For less serious failures, the owner or participant will be given up to 30 days to correct the failed item(s).

If the owner fails to correct the HQS failed items after proper notification has been given, the Waco Housing Authority will abate payment and terminate the contract in accordance with Sections 12.7 and 17.0(B)(3).

If the participant fails to correct the HQS failed items that are family-caused after proper notification has been given, the Waco Housing Authority will terminate assistance for the family in accordance with Sections 12.2(B) and 17.0(B)(3).

C. Time Frames for Corrections

1. Emergency repair items must be abated within 24 hours.

2. Repair of refrigerators, range and oven, or a major plumbing fixture supplied by the owner must be abated within 72 hours.

3. Non-emergency items must be completed within 10 days of the initial inspection.

4. For major repairs, the owner will have up to 30 days to complete.

D. Extensions

At the sole discretion of the Waco Housing Authority, extensions of up to 30 days may be granted to permit an owner to complete repairs if the owner has made a good faith effort to initiate repairs. If repairs are not completed within 60 days after the initial inspection date, the Waco Housing Authority will abate the rent and cancel the HAP contract for owner noncompliance. Appropriate extensions will be granted if a severe weather condition exists for such items as exterior painting and outside concrete work for porches, steps, and sidewalks.

12.6 Emergency Fail Items

The following items are to be considered examples of emergency items that need to be abated within 24 hours:

A. No hot or cold water

B. No electricity

C. Inability to maintain adequate heat

D. Major plumbing leak

E. Natural gas leak

F. Broken lock(s) on first floor doors or windows

G. Broken windows that unduly allow weather elements into the unit

H. Electrical outlet smoking or sparking

I. Exposed electrical wires which could result in shock or fire

J. Unusable toilet when only one toilet is present in the unit

K. Security risks such as broken doors or windows that would allow intrusion

L. Other conditions which pose an immediate threat to health or safety

12.7 Abatement

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within in the required timeframe, the rent for the dwelling unit will be abated.

The initial abatement period will not exceed 7 days. If the corrections of deficiencies are not made within the 7-day timeframe, the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, the Waco Housing Authority will end the abatement the day the unit passes inspection. Rent will resume the following day and be paid the first day of the next month.

For tenant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The tenant is held to the same standard and timeframes for correction of deficiencies as owners. If repairs are not completed by the deadline, the Waco Housing Authority will send a notice of termination to both the tenant and the owner. The tenant will be given the opportunity to request an informal hearing.

13.0 Owner Claims for Damages, Unpaid Rent, and Vacancy Loss and

Participant's Ensuing Responsibilities

Effective October 2, 1995, no damage claims will be paid under the Housing Choice Voucher Program.

14.0 Recertification

Changes in Lease or Rent

If the participant and owner agree to any changes in the lease, all changes must be in writing, and the owner must immediately give the Waco Housing Authority a copy of the changes. The lease, including any changes, must be in accordance with this Administrative Plan.

Owners must notify the Waco Housing Authority of any changes in the amount of the rent at least sixty (60) days before the changes go into effect. Requests for increase in rent in excess of $50.00 must be supported by paid receipt documentation of improvements to the unit. Any such changes are subject to the Waco Housing Authority determining them to be reasonable.

Assistance shall not be continued unless the Waco Housing Authority has approved a new tenancy in accordance with program requirements and has executed a new HAP contract with the owner if any of the following changes are made:

A. Requirements governing participant or owner responsibilities for utilities or appliances;

B. In the lease terms governing the term of the lease;

C. If the participant moves to a new unit, even if the unit is in the same building or complex.

The approval of the Waco Housing Authority is not required for changes other than those specified in A, B, or C above.

14.1 Annual Reexamination

At least annually the Waco Housing Authority will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family subsidy is correct based on the family unit size.

The Waco Housing Authority will send a notification letter to the family letting them know that it is time for their annual reexamination and scheduling an appointment. The letter includes forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to

make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

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.

Upon receipt of verification, the Waco Housing Authority will determine the family's annual income and will calculate their family share.

14.1.1 Effective Date of Rent Changes for Annual Reexaminations

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

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

14.1.2 Missed Appointments

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the Waco Housing Authority taking action to terminate the family’s assistance.

14.2 Interim Reexaminations

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

Families will not be required to report any increase in income or decreases in allowable expenses between annual reexaminations.

Families are required to report the following changes to the Waco Housing Authority between regular reexaminations. These changes will trigger an interim reexamination.

A. A member has been added to the family through birth or adoption

or court-awarded custody.

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

C. Family break-up

In circumstances of a family break-up, the Waco Housing Authority will make a determination of which family member will retain the certificate or voucher, taking into consideration the following factors:

1. To whom the certificate or voucher was issued.

2. The interest of minor children or of ill, elderly, or disabled family members.

3. Whether the assistance should remain with the family members remaining in the unit.

4. Whether family members were forced to leave the unit as a result of actual or threatened physical violence by a spouse or other member(s) of the household.

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement of judicial decree, the Waco Housing Authority will be bound by the court's determination of which family members continue to receive assistance in the program.

Because of the number of possible different circumstances in which a determination will have to be made, the Waco Housing Authority will make determinations on a case by case basis.

The Waco Housing Authority will issue a determination within 10 business days of the request for a determination. The family member requesting the determination may request an informal hearing in compliance with the informal hearings in Section 16.3.

In order to add a household member other than through birth or adoption (including a live-in aide) the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security Number if they have one, and must verify their citizenship/eligible immigrant status (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family). The new family member will go through the screening process similar to the process for applicants. The Waco Housing Authority will determine the eligibility of the individual before allowing them to be added to the lease. 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. If they are found to be eligible and do pass the screening criteria, the Waco Housing Authority will grant approval to add their name to the lease. At the same time, the family's annual income will be recalculated taking into account the income and circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 14.2.2.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the Waco Housing Authority will take timely action to process the interim reexamination and recalculate the family share.

14.2.1 Special Reexaminations

If a 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 Waco Housing Authority may schedule special reexaminations every 60 days until the income stabilizes and an annual income can be determined.

14.2.2 Effective Date of Rent Changes Due to Interim or Special Reexaminations

Unless there is a delay in reexamination processing caused by the family, 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. If the family causes a delay; then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

15.0 Termination of Assistance to the Family by the Waco Housing Authority

The Housing Authority may at any time terminate program assistance for a participant because of any of the following actions or inactions by the household:

A. If the family violates any family obligations under the program.

B. If a family member fails to sign and submit consent forms.

C. If a family fails to establish citizenship or eligible immigrant status and is not eligible for or does not elect continuation of assistance, pro-ration of assistance, or temporary deferral of assistance. If the Waco Housing Authority determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their Section 8 unit, the family's assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.

D. If any member of the family has ever been evicted from public housing.

E. If the Housing Authority has ever terminated assistance under the Certificate or Voucher Program for any member of the family.

F. If any member of the family commits drug-related, violent or any type of criminal activity.

G. If any member of the family commits fraud, bribery or any other corrupt or criminal act.

H. If the family currently owes rent or other amounts to the Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.

I. If the family has not reimbursed any Housing Authority 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.

J. If the family breaches an agreement with the Housing Authority to pay amounts owed to a Housing Authority or amounts paid to an owner by a Housing Authority. (The Housing Authority, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a Housing Authority or amounts paid to an owner by a Housing Authority. The Housing Authority may prescribe the terms of the agreement.)

K. If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.

L. This would include abusive language inclusive of derogatory or discriminatory remarks.If tenants cannot conduct themselves in a cooperative, courteous, or non-threatening manner with staff. Disruptive or uncooperative behavior can result in termination of lease.

M. If any household member is subject to a lifetime registration requirement under a State sex offender registration program.

N. If a household member's illegal use (or pattern of illegal use) of a controlled substance, or whose abuse (or pattern of abuse) of alcohol, is

determined by the Waco Housing Authority to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

16.0 Complaints, Informal Reviews for Applicants, Informal Hearings for Participants

16.1 Complaints

The Waco Housing Authority will investigate and respond to complaints by participant families, owners, and the general public. The Waco Housing Authority may require that complaints other than HQS violations be put in writing. Anonymous complaints are investigated whenever possible.

16.2 Informal Review for the Applicant

A. Informal Review for the Applicant

The Waco Housing Authority will give an applicant for participation in the Section 8 Existing Program prompt notice of a decision denying assistance to the applicant. The notice will contain a brief statement of the reasons for the Waco Housing Authority decision. The notice will state that the applicant may request an informal review within 10 business days of the denial and will describe how to obtain the informal review.

B. When an Informal Review is not required

The Waco Housing Authority will not provide the applicant an opportunity for an informal review for any of the following reasons:

1. A determination of the family unit size under the Waco Housing Authority subsidy standards.

2. A Waco Housing Authority determination not to approve an extension or suspension of a certificate or voucher term.

3. A Waco Housing Authority determination not to grant approval to lease a unit under the program or to approve a proposed lease.

4. A Waco Housing Authority determination that a unit selected by the applicant is not in compliance with HQS.

5. A Waco Housing Authority determination that the unit is not in accordance with HQS because of family size or composition.

6. General policy issues or class grievances.

7. Discretionary administrative determinations by the Waco Housing

Authority.

C. Informal Review Process

The Waco Housing Authority will give an applicant an opportunity for an informal review of the Waco Housing Authority decision denying assistance to the applicant. The procedure is as follows:

1. The review will be conducted by any person or persons designated by the Waco Housing Authority other than the person who made or approved the decision under review or a subordinate of this person.

2. The applicant will be given an opportunity to present written or oral objections to the Waco Housing Authority decision.

3. The Waco Housing Authority will notify the applicant of the Waco Housing Authority decision after the informal review within 14 calendar days. The notification will include a brief statement of the reasons for the final decision.

D. Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, the Housing Authority may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The Housing Authority 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 Housing Authority may permit the other members of a participant family to continue receiving assistance.

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the Waco Housing Authority will consider evidence of whether the household member:

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

2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or

3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

E. Informal Review Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The applicant family may request that the Waco Housing Authority provide for an informal review after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. The applicant family must make this request within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

For applicant families, the Informal Review Process above will be utilized with the exception that the applicant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision to request the review.

16.3 Informal Hearings for Participants

A. When a Hearing is required

1. The Waco Housing Authority will give a participant family an opportunity for an informal hearing to consider whether the following Waco Housing Authority decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations, and Waco Housing Authority policies:

   a. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.

   b. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the Waco Housing Authority utility allowance schedule.

   c. A determination of the family unit size under the Waco Housing Authority subsidy standards.

   d. A determination that a Voucher Program family is residing in a unit with a larger number of bedrooms than appropriate

for the family unit size under the Waco Housing Authority subsidy standards, or the Waco Housing Authority determination to deny the family's request for an exception from the standards.

e. A determination to terminate assistance for a participant family because of the family's action or failure to act.

f. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under the Waco Housing Authority policy and HUD rules.

2. In cases described in paragraphs 16.3(A)(1)(d), (e), and (f) of this Section, the Waco Housing Authority will give the opportunity for an informal hearing before the Waco Housing Authority terminates housing assistance payments for the family under an outstanding HAP contract.

B. When a Hearing is not required

The Waco Housing Authority will not provide a participant family an opportunity for an informal hearing for any of the following reasons:

1. Discretionary administrative determinations by the Waco Housing Authority.

2. General policy issues or class grievances.

3. Establishment of the Waco Housing Authority schedule of utility allowances for families in the program.

4. A Waco Housing Authority determination not to approve an extension or suspension of voucher term.

5. A Waco Housing Authority determination not to approve a unit or lease.

6. A Waco Housing Authority determination that an assisted unit is not in compliance with HQS. (However, the Waco Housing Authority will provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family.)

7. A Waco Housing Authority determination that the unit is not in accordance with HQS because of the family size.

8. A determination by the Waco Housing Authority to exercise or not exercise any right or remedy against the owner under a HAP contract.

C. Notice to the Family

1. In the cases described in paragraphs 16.3(A)(1)(a), (b), and (c) of this Section, the Waco Housing Authority will notify the family that the family may ask for an explanation of the basis of the Waco Housing Authority's determination, and that if the family does not agree with the determination, the family may request an informal hearing on the decision.

2. In the cases described in paragraphs 16.3(A)(1)(d), (e), and (f) of this Section, the Waco Housing Authority will give the family prompt written notice that the family may request a hearing within 10 business days of the notification. The notice will:

a. Contain a brief statement of the reasons for the decision; and

b. State if the family does not agree with the decision, the family may request an informal hearing on the decision within 10 business days of the notification.

D. Hearing Procedures

The Waco Housing Authority and participants will adhere to the following procedures:

1. Discovery

a. The family will be given the opportunity to examine before the hearing any Waco Housing Authority documents that are directly relevant to the hearing. The family will be allowed to copy any such document at the family's expense. If the Waco Housing Authority does not make the document(s) available for examination on request of the family, the Waco Housing Authority may not rely on the document at the hearing.

b. The Waco Housing Authority will be given the opportunity to examine, at the Waco Housing Authority's offices before the hearing, any family documents that are directly relevant to the hearing. The Waco Housing Authority will be allowed to copy any such document at the Waco Housing Authority's expense. If the family does not make the document(s) available for examination on request of the

Waco Housing Authority, the family may not rely on the document(s) at the hearing.

Note: The term **document** includes records and regulations.

2. Representation of the Family

At its own expense, a lawyer or other representative may represent the family.

3. Hearing Officer

a. The hearing will be conducted by any person or persons designated by the Waco Housing Authority, other than a person who made or approved the decision under review or a subordinate of this person.

b. The person who conducts the hearing will regulate the conduct of the hearing in accordance with the Waco Housing Authority hearing procedures.

4. Evidence

The Waco Housing Authority and the family must have the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

5. Issuance of Decision

The person who conducts the hearing must issue a written decision within 14 calendar days from the date of the hearing, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing.

6. Effect of the Decision

The Waco Housing Authority is not bound by a hearing decision:

a. Concerning a matter for which the Waco Housing Authority is not required to provide an opportunity for an informal hearing under this Section, or that otherwise exceeds the authority of the person conducting the hearing under the Waco Housing Authority hearing procedures.

b. Contrary to HUD regulations or requirements, or otherwise contrary to Federal, State, or local law.

c. If the Waco Housing Authority determines that it is not bound by a hearing decision, the Waco Housing Authority will notify the family within 14 calendar days of the determination, and of the reasons for the determination.

E. Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, the Housing Authority may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The Housing Authority 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 Housing Authority may permit the other members of a participant family to continue receiving assistance.

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the Waco Housing Authority will consider evidence of whether the household member:

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

2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or

3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.

F. Informal Hearing Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The participant family may request that the Waco Housing Authority provide for

an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

For the participant families, the Informal Hearing Process above will be utilized with the exception that the participant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision.

17.0 Termination of the Lease and Contract

The term of the lease and the term of the HAP contract are the same. They begin on the same date and they end on the same date. The lease may be terminated by the owner, by the tenant, or by the mutual agreement of both. The owner may only terminate the contract by terminating the lease. The HAP contract may be terminated by the Waco Housing Authority. Under some circumstances the contract automatically terminates.

A. Termination of the Lease

1. By the family

The family may terminate the lease without cause upon proper notice to the owner and to the Waco Housing Authority after the initial lease term. The length of the notice that is required is stated in the lease (generally 30 days).

2. By the owner

a. The owner may terminate the lease during its term on the following grounds:

i. Serious or repeated violations of the terms or conditions of the lease;

ii. Violation of Federal, State, or local law that imposes obligations on the tenant in connection with the occupancy or use of the unit and its premises;

iii. Criminal activity by the household, a guest, or another person under the control of the household that threatens the health, safety, or right to peaceful enjoyment of the premises by other persons residing in the immediate vicinity of the premises;

iv. Any drug-related or violent criminal activity on or near the premises;

v. Other good cause. Other good cause may include, but is not limited to:

(1) Failure by the family to accept the offer of a new lease;

(2) Family history of disturbances of neighbors or destruction of property, or living or housekeeping habits resulting in damage to the property or unit;

(3) The owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit;

(4) A business or economic reason such as sale of the property, renovation of the unit, desire to rent at a higher rental amount.

b. During the first year the owner may not terminate tenancy for other good cause unless the reason is because of something the household did or failed to do.

c. The owner may only evict the tenant by instituting court action after or simultaneously providing written notice to the participant specifying the grounds for termination. The owner must give the Waco Housing Authority a copy of any owner eviction notice to the tenant at the same time that the owner gives the notice to the tenant.

d. The owner may terminate the contract at the end of the initial lease term or any extension of the lease term without cause by providing notice to the family that the lease term will not be renewed.

3. By mutual agreement

The family and the owner may at any time mutually agree to terminate the lease.

B. Termination of the Contract

1. Automatic termination of the contract

a. If the Waco Housing Authority terminates assistance to the family, the contract terminates automatically.

b. If the family moves out of the unit, the contract terminates automatically.

c. 180 calendar days after the last housing assistance payment to the owner.

2. Termination of the contract by the owner

The owner may only terminate tenancy in accordance with lease and State and local law.

3. Termination of the HAP contract by the Waco Housing Authority

The Housing Authority may terminate the HAP contract because:

a. The Housing Authority has terminated assistance to the family.

b. The unit does not meet HQS space standards because of an increase in family size or change in family composition.

c. The unit is larger than appropriate for the family size or composition under the regular Voucher Program.

d. When the family breaks up and the Waco Housing Authority determines that the family members who move from the unit will continue to receive the assistance.

e. The Waco Housing Authority determines that there is insufficient funding in their contract with HUD to support continued assistance for families in the program.

f. The owner has breached the contract in any of the following ways:

i. If the owner has violated any obligation under the HAP contract for the dwelling unit, including the owner's obligation to maintain the unit in accordance with the HQS.

ii. If the owner has violated any obligation under any other housing assistance payments contract under Section 8 of the 1937 Act.

iii. If the owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program.

iv. For projects with mortgages insured by HUD or loans made by HUD, if the owner has failed to comply with the regulations for the applicable mortgage insurance or loan program, with the mortgage or mortgage note, or with the regulatory agreement.

v. If the owner has engaged in drug-related criminal activity or any violent criminal activity.

g. If a welfare-to-work family fails to fulfill its obligations under the welfare-to-work voucher program.

4. Final HAP payment to owner

The HAP payment stops when the lease terminates. The owner may keep the payment for the month in which the family moves out. If the owner has begun eviction proceedings and the family continues to occupy the unit, the Housing Authority will continue to make payments until the owner obtains a judgment or the family moves out.

18.0 Quality Control of Section 8 program

In order to maintain the appropriate quality standards for the Section 8 program, the Waco Housing Authority will annually review files and records to determine if the work documented in the files or records conforms to program requirements. This shall be accomplished by a supervisor or another qualified person other than the one originally responsible for the work or someone subordinate to that person. The number of files and/or records checked shall be at least equal to the number specified in the Section 8 Management Assessment Program for our size housing authority.

18.1 Section 8 Administrative Fee Reserve Charges and Expenditures:

The Waco Housing Authority will comply with procurement policy requirements in regards to approval of any charges and expenditures of Section 8 Administrative Fee Reserves.

19.0 Transition to the New Housing Choice Voucher Program

A. New HAP Contracts

On and after October 1, 1999, the Waco Housing Authority will only enter into a HAP contract for a tenancy under the voucher program, and will not enter into a new HAP contract for a tenancy under the certificate program.

B. Over-FMR Tenancy

If the Waco Housing Authority had entered into any HAP contract for an over-FMR tenancy under the certificate program prior to the merger date of October 1, 1999, on and after October 1, 1999, such tenancy shall be considered and treated as a tenancy under the voucher program and will be subject to the voucher program requirements under 24 CFR 982.502, including calculation of the voucher housing assistance payment in accordance with 24 CFR 982.505. However, 24 CFR 982.505(b)(2) will not be applicable for calculation of the housing assistance payment prior to the effective date of the second regular reexamination of family income and composition on or after the merger date of October 1, 1999.

C. Voucher Tenancy

If the Waco Housing Authority had entered into any HAP contract for a voucher tenancy prior to the merger date of October 1, 1999, on and after October 1, 1999, such tenancy will continue to be considered and treated as a tenancy under the voucher program and will be subject to the voucher program requirements under 24 CFR 982.502, including calculation of the voucher housing assistance payment in accordance with 24 CFR 982.505. However, 24 CFR 982.505(b) (2) will not be applicable for calculation of the housing assistance payment prior to the effective date of the second regular reexamination of family income and composition on or after the merger date of October 1, 1999.

D. Regular Certificate Tenancy

The Waco Housing Authority will terminate program assistance under any outstanding HAP contract for a regular tenancy under the certificate program entered into prior to the merger date of October 1, 1999, at the effective date of the second regular reexamination of family income and composition on or after the merger date of October 1, 1999. Upon such termination of assistance, the HAP contract for such tenancy terminates automatically. The Waco Housing Authority will give at least 120 days written notice of such termination to the family and the owner, and the Waco Housing Authority will offer the family the opportunity for continued tenant-based assistance under the voucher program. The Waco Housing Authority may deny the family the opportunity for continued assistance in accordance with 24 CFR 982.552 and 24 CFR 982.553. A Housing Choice Voucher will be issued sooner if requested jointly by the owner and the family.

20.0 Section 8 Homeownership program

Waco Housing Authority
Section 8 Voucher/Homeownership Option Program

I. General

As an addition to Waco Housing Authority's (WHA) Homeownership program as stated in our WHA Agency Plan, WHA will offer a Section 8 homeownership option to assist families to purchase a single family home, townhouse, or condominium owned by one or more members of the family.

- A family assisted under the homeownership option may be a newly admitted or existing participant in the WHA Section 8 program.
- The WHA will approve a live in aide, if it is determined by the Authority that the aide is needed as a reasonable accommodation for persons with disabilities under this program.
- The WHA will require that financing for the purchase of a dwelling as defined in this program as a single family home, townhouse or condominium must comply with secondary mortgage market underwriting requirements.
- Homeowner downpayment requirements will be established in accordance with the secondary mortgage market requirements on an individual family case by case basis.

II. Homeownership Option/Initial Requirements

All homeownership option applicants must meet the following initial requirements.

- The family must be employed a minimum of 30 hours per week and must continue employment at a minimum of 30 hours per week for the duration of the loan.
- The family is income eligible under the Section 8 assistance program.
- The dwelling is inspected and meets the uniform housing quality standards.
- The family has satisfactorily completed the homeownership counseling and training program jointly administered by Waco Housing Authority Family Self-Sufficiency (FSS) staff and Neighborhood Housing Services (NHS). NHS conducts a ten to twelve hour homeownership training course at its Neighborhood Works training facility, which is a HUD approved housing counseling agency.
- Any additional WHA requirements will be discussed in our PHA Administrative Plan or Homeownership Option procedures.

form **HUD 50075** (03/2003)

- The WHA will require homeowner compliance with all environmental requirements of local and regional authorities regarding flood and other hazard insurances.

III. Homeownership Option/Eligibility Requirements for Families

A family must meet the following eligibility requirements to receive homeownership option assistance:

- Family must be added or transferred to a homeownership option voucher program.
- Family must be a first time homebuyer or no member of the family has owned a home or interest in a home for three years
- Family satisfies the minimum income requirement of not less than the federal minimum hourly wage multiplied by 2000 hours.
- Family satisfies the employment requirements of continuous employment of one year prior to the commencement of homeownership assistance. This employment must be full time employment of at least 30 hours per week. Family must continue employment on a yearly basis of not less than 30 hours per week for the duration of the mortgage loan. There is an exception to this employment requirement for the elderly and the disabled.
- The family has not defaulted on a previous mortgage securing the debt to purchase a home under the homeownership option program.
- The family satisfies all other initial requirements established by the WHA in its administrative plan or procedures.

IV. Homeownership Option/Eligible Units

The WHA will determine that the unit satisfies all the following requirements.

- The unit must be under construction and at a stage where unit can be completed and sold to the homeownership option buyer within the remaining time on their homeownership voucher (maximum 180 days), or the unit can be an existing unit. In either case, the unit must be available or soon to be available at the time WHA determines the family is eligible for homeownership assistance.
- The unit is either a single family home, a townhouse or a condominium.
- The unit must be inspected by a WHA inspector and an independent inspector designated by the family.
- The unit must satisfy uniform housing quality standards.
- The seller of the unit must not be a person or entity debarred or suspended from participation in HUD programs. The seller must sign a certification that they are not on HUD's debarred or

suspended list prior to the WHA's final approval of homeownership assistance.

V. Homeownership Option/Additional WHA Requirements for Family Search and Purchase

- The WHA establishes a maximum time of 180 days for a family to locate a home and to purchase the home. If a homebuyer's time expires, the WHA will exercise the option to extend the timeframe if substantial progress has been made and sales closing can be accomplished in 30 days. If sale's closing is not eminent, the WHA may offer the buyer a rental voucher or an opportunity to be placed on the rental voucher waiting list.
- The WHA will require periodic progress reports on the family's ability to find and purchase a home. These update reports will be required at a minimum of 60 days and 120 days. However, they may be more frequent dependent on a family's circumstances.

VI. Homeownership Option/Homeownership Counseling

All families must attend and satisfactorily complete the pre-assistance housing counseling program conducted by Neighborhood Housing Services of Waco and WHA Family Self Sufficiency staff prior to the commencement of homeownership assistance.

This housing counseling program will include:

- Home and grounds maintenance
- Budgeting and money management
- Credit counseling
- Negotiating the purchase of a home
- Different types of financing and how to obtain pre-approval
- Information on fair housing
- Information about closing and settlement
- Additional financing counseling can be provided by a HUD approved lender/agency.

VII. Homeownership Option/Home Inspections

All units presented for homeownership assistance must pass a uniform housing quality standards inspection conducted by a WHA inspector. There must also be an independent inspection by an independent professional inspector commissioned by the homeownership assistance family. Although the unit may pass the Authority's HQS inspection, the Authority may disapprove the unit based on information contained in the independent inspection. The independent

inspector must provide a copy of the inspection report to the family and the housing authority.

VIII. Homeownership Option /Contract of Sale

The family must enter into a contract of sale with the seller prior to assistance approval. The family must provide the WHA a copy of the contract of sale.

- The contract of sale must contain the following:
- Price and terms of sale
- Provide that purchaser will commission independent inspection
- Provide that purchaser is not obligated to purchase unit unless the inspection is satisfactory to the purchaser
- Purchaser is not obligated to pay for any necessary repairs
- Purchaser is not obligated to purchase should voucher assistance fail to be approved
- Contain a certification from the seller that the seller has not been debarred, suspended or subject to a limited denial of participation under Part 24 of the Code of Federal Regulations (CFR).

IX. Homeownership Option/Affordability of Purchase

The Waco Housing Authority (WHA), in conjunction with Neighborhood Housing Services will pre-qualify a family as to what price range home they will qualify. The WHA prohibits seller financing, balloon payment mortgages and other types of mixed rate mortgages. The WHA reserves the right to disapprove assistance based on any financing or debts to secure the home that may have an adverse effect on the family's homeownership rights in the future.

X. Homeownership Option/Family Obligations

The Section 8 homeownership option program is for Section 8 qualified first time homebuyers that reside in the home for which they are receiving assistance. Therefore, assistance may not continue after the month the family vacates the home. Neither the family nor the lender are obligated to refund any assistance received the month the family vacates.

- The family is obligated to the following:
- Pre-assistance counseling during the search for a home
- Periodic progress updates
- Annual ongoing counseling during annual income status reviews
- The family must comply with the terms of the mortgage that secures the debt on the home
- Prohibited against selling the home receiving assistance without notifying and receiving approval from WHA
- Prohibited from refinancing the home receiving assistance without notification and approval from WHA

- Family must immediately report any change in family composition or income of family due to death, loss of job, or any other circumstance that will effect the family's ability to maintain the home.
- Family must supply required information to WHA.
- Family must notify WHA of any default on their mortgage payments that remain delinquent in excess of 60 days.
- Prohibition of any ownership interest in a second residence while receiving assistance under this program.
- Family must certify that they will abide by the family obligations prior to the commencement of assistance.
- Family is responsible for 8 – 10 hours of post purchase counseling thru a HUD approved lender/agency.

XI. Homeownership Option/Maximum Term of Assistance

The maximum terms for assistance are as follows:

- Fifteen years for mortgages of 20 years or more
- Ten years for all other mortgages
- There is no term limitation for elderly or disabled families

There is an elderly/disabled exception where a family that received their initial assistance under the elderly or disabled term status and that family's status changes by the loss of the elderly or disabled person in the family. The family's status will change to the appropriate maximum term from the time the initial assistance commenced. However, this family will be provided assistance six months after the maximum term has expired.

XII. Homeownership Option/Distribution of Homeownership Assistance Payment

All assistance payments on behalf of the family will be made directly to the Family. The WHA will pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of:

1. The payment standard minus the total tenant payment (TTP), or
2. The family's homeownership monthly expenses minus the total tenant payment

XIII. Homeownership Option/Portability

A family determined eligible for homeownership assistance by an initial housing authority may purchase a home outside the initial housing authority's jurisdiction provided that the receiving Authority is administering a homeownership program and is accepting new homeownership families.

XIV. Homeownership Option/Move with Continued Tenant-based Assistance

- A family may move with continued tenant-based or homeownership option assistance as long as they have fulfilled all of their homebuyer obligations, including prior notification to WHA.

- WHA may not commence tenant-based assistance for occupancy of a new unit as long as the family has any title or interest in the prior home.

- WHA may deny permission for the family to move based on unfulfilled obligations, affordability, and any other issues that violate this homeownership rule.

XV. Purchasing Another Home

Family will be able to sell its home and purchase another home. However, the balance of the term for assistance on the second home remains the same as it was for the first home. Ie. First home – 20 years with eligible assistance up to 15 years. If the family sells the first home at year 10, the maximum balance of assistance is for 5 years on the second loan.

XVI. Homeownership Option/ Termination of Assistance

Termination of assistance may occur because of mortgage default, failure to comply with family obligations, and any other addendums to homeownership option policy.
Federal Register – Page 55167

(d) Mortgage default. The PHA must terminate voucher homeownership assistance for any member of family receiving homeownership assistance that is dispossessed from the home pursuant to a judgement or order of foreclosure on any mortgage (whether FHA-insured or non FHA) securing debt incurred to purchase the home, or any refinancing of such debt. The PHA, in its discretion, may permit the family to move to a new unit with continued voucher rental assistance. However, the PHA must deny such permission, if:

(1) The family defaulted on an FHA-insured mortgage; and

(2) The family fails to demonstrate that:

(i.) The family has conveyed title to the home, as required by HUD, to HUD or HUD's designee; and

(ii) The family has moved from the home within the period established or approved by HUD.

XVII. Homeownership Option/Recapture of Homeownership Assistance

The WHA will recapture a percentage of the homeownership assistance provided to a family upon the family's sale or refinancing of the home. This recapture percentage decreases 10% per year of all applicable assistance and costs. The recapture amount is zero once a family has lived in the home for 10 years.

XVIII. Homeownership Option/Size of Homeownership Option Program

The size of the Waco Housing Authority homeownership program will be determined by the response and demand of our client/families and the available funds remaining in our Section 8 voucher allocation at any given time.

XIX. Homeownership Option Preferences

The Homeownership Option will follow the preferences for the Section 8 Voucher Programs with the addition of the Pre-Paid Mortgage Loan preference.

The homeownership option program will be offered to all existing Section 8 voucher rental assistance clients in our first phase.

In phase two, all current Section 8 clients holding search packages and clients currently receiving orientation for the rental assistance program will be informed of their opportunity to take advantage of the Section 8 Homeownership Option Program
In phase three, all new applicants and persons invited off the waiting list for orientation will be informed of their option to participate in the Homeownership Option Program.

Section 8 Homeownership Voucher Option Program Procedures

I. Eligibility for Admission

The eligibility for admission to the Homeownership Voucher program will be the same verification and income requirements as the tenant-based voucher rental assistance program. However, there will be additional eligibility requirements for this program as follows:

1. Family must be a first time homebuyer (or no family member can have had current interest in a residence in the past three years).
2. Family must meet income requirement of the minimum wage x 2000 hours.
3. Family must meet the employment requirement of working on a full time job for at least one year prior to receiving assistance under this program (Full time employment is defined as working at least 30 hours per week on a job).
4. Family must not have defaulted on a mortgage securing debt to purchase a home under the homeownership voucher program.
5. Although all income is included when determining eligibility under the Section 8 rental assistance or public housing rental assistance programs, welfare assistance income must be excluded when determining for homeownership voucher assistance for all applicants with the exception of elderly or handicapped applicants.

II. Application Waiting List

The Section 8 Homeownership Voucher Program's initial implementation date will be December 2000 or January 2001. The waiting list for this program will not be separate and apart form the tenant based rental assistance waiting list.

III. Selection from the Waiting List

Selection from the waiting list will be based on date and time of application.

IV. Homeownership Counseling

Family will be required to attend homeownership counseling administered by Neighborhood Housing Services (NHS) prior to the final approval of homeownership voucher assistance approval. This homeownership counseling shall be scheduled upon the issuance of the search and purchase authorization.

V. Size of Home

The housing authority will not determine the size of home a family can purchase; however, the housing authority does reserve the right to deny assistance due to the affordability of the home selected by the family.

VI. Inspections

The housing authority will conduct an initial HQS inspection to qualify or disqualify a home selected for homeownership voucher assistance.

However, the homebuyer must contract for a second independent professional inspection at the homebuyer's expense. The housing authority will not conduct additional inspections after the home is purchased.

VII. Schedule for Search and Purchase

The prospective homebuyer will have a maximum of 180 days to select a home, secure financing, and close the sale on a home once eligibility assistance is approved. If little progress is made within this timeframe, assistance approval will be terminated and the applicant will retain their current rental assistance if a current Section 8 resident or have the option to be placed on the Section 8 rental assistance waiting list if not a current Section 8 rental assistance client.

VIII. Portability

The family can purchase a home outside the Waco Housing Authority's jurisdiction under the Homeownership voucher program as long as the PHA in the new jurisdiction administers a Homeownership voucher assistance program and is accepting new families in their program.

IX. Calculations of Assistance

The housing authority shall pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of:

The monthly homeownership assistance payment shall be calculated by the annual income of head(s) of household. The annual gross income will be subject to allowances for utility cost (WHA Utility Allowance Sheet), dependent allowance, elderly, and/or head of household receiving disability benefits. For each minor $480 and $400 elderly/disability allowance for the head of household and other applicable adult household member(s) whose income is included as household income.

The housing authority shall pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of (1) the payment standard minus 30% of the adjusted monthly income or (2) homeownership expenses minus 30% of the adjusted monthly income.

Example:

1200	gross monthly income
x 12	months
14,400	annual income
14,400	
- 480	dependent allowance
- 480	dependent allowance
13,440	
13,440	
divided by 12	months
1,120	adj. Annual income
1,120	
x 30%	
336	TTP (Total Tenant Payment)
615	3 bedroom payment standard minus
336	TTP
279	maximum subsidy
500	mortgage payment minus
279	maximum subsidy
221	tenant mortgage payment

X. Maximum Term of Assistance

The maximum term of assistance is fifteen (15) years for all initial mortgages of twenty (20) years or longer. All other mortgages have a ten-year maximum term. The only exception to this rule is that elderly or disabled applicants have no maximum term.

XI. Payment of Assistance

All assistance payments will be made directly to the lender.

XII. Annual Review

All annual reviews will be conducted on the homeowner's anniversary date for family income change only.

XIII. Quality Control & Review – Quality Control of each tenant file will be done at the time of annual recertification. Quality Control of the Program happens annually at the time of annual plan submission to make any necessary plan changes. As always, WHA will comply with all changes in regulations as they occur throughout the year.

XIV. Program goals will be set each year at the time of development of the annual plan for submission.

2003-2004 goals for the program are that we will have a minimum of 5 homeowners prior to year end.

Section 8 Budget is annually approved by HUD. This amount is used for all elements within Section 8, including homeownership program expenses.

21.0 VIOLENCE AGAINST WOMEN'S ACT COMPLIANCE

I. Admissions and Screening

A. Non – Denial of Assistance. WHA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. Admissions Preference – Applicants for housing assistance from WHA will receive a preference in admissions by virtue of their status as victims of domestic violence (dating violence, stalking).

C. Mitigation of Disqualifying Information. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, WHA may, but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. IF requested by an applicant to take such mitigating information into account, WHA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. WHA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

II. Termination of Tenancy or Assistance

A. VAWA Protections. Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by WHA:

i. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serous 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 or assistance to the victim of that violence.

ii. In addition to the foregoing, tenancy or assistance will not be terminated by WHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

1. Nothing contained in this paragraph shall limit any otherwise available authority of WHA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither WHA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence or stalking than that applied to the other tenants.

2. Nothing contained in this paragraph shall be construed to limit the authority of WHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or WHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, WHA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by WHA. Leases used for all public housing operated by WHA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by WHA, shall contain provisions setting forth the substance of this paragraph.

III. Verification of Domestic Violence, Dating Violence or Stalking

A. Requirement for Verification. The law allows, but does not require, WHA or a Section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph IV.C., WHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by WHA. Section 8 owners or managers receiving rental assistance

administered by WHA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. HUD-approved form – by providing to WHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
2. Other documentation – by providing to WHA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of they applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
3. Police or court record – by providing to WHA or to the requesting Section 8 owner of manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. Time allowed to provide verification/failure to provide. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by WHA, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result I loss of protection under VAWA and this policy against a proposed adverse action.

C. Waiver of verification requirement. The Executive Director of WHA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver I any other case or cases, regardless of similarity in circumstances.

IV. Confidentiality

A. Right of confidentiality. All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to WHA or to a Section 8 owner or manager in connection with a verification required under Section IV of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or

3. otherwise required by applicable law.

B. Notification of rights. All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by WHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

V. Transfer to a New Residence

A. Application for transfer. In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, WHA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit on order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

B. Action on application. WHA will act upon such an application promptly within 14 days.

C. No right to transfer. WHA will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph VII, E. below, the decision to grant or refuse to grant a transfer shall lie within the sole discretion of WHA, and this policy does not create any right on the part of any applicant to be granted a transfer.

D. Family rent obligations. If a family occupying WHA public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by WHA. In cases where WHA determines that the family's decision to move was reasonable under the circumstances, WHA may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.

E .Portability. Notwithstanding the foregoing, a Section 8 assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

VI. Court Orders/Family Break-up

A. Court orders. It is WHA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by WHA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. Family break-up. Other WHA policies regarding family break-up are contained in WHA's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

VII. Relationships with Service Providers

It is the policy of WHA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If WHA staff become aware that an individual assisted by WHA is a victim of domestic violence, dating violence or stalking, WHA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring WHA either to maintain a relationship with any particular provider of shelter or

services to victims or domestic violence or to make a referral in any particular case. WHA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which WHA has referral or other cooperative relationships.

VIII. Notification

WHA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and termination of tenancy or assistance.

IX. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementation shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

X. Amendment

This policy may be amended from time to time by WHA as approved by the WHA Board of Commissioners

Glossary

1937 Housing Act: The United States Housing Act of 1937 [42 U.S.C. 1437 et seq.]

Absorption: In portability, the point at which a receiving housing authority stops billing the initial housing authority for assistance on behalf of a portable family. [24 CFR 982.4]

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based.

Administrative fee: Fee paid by HUD to the housing authority for the administration of the program.

Administrative Plan: The plan that describes housing authority policies for the administration of the tenant-based programs.

Admission: The point when the family becomes a participant in the program. In a tenant-based program, the date used for this purpose is the effective date of the first HAP Contract for a family (first day of initial lease term).

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head. An adult must have the legal capacity to enter a lease under State and local law.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowances can be given at the discretion of the housing authority.

Amortization Payment: In a manufactured home space rental: The monthly debt service payment by the family to amortize the purchase price of the manufactured home. If furniture was included in the purchase price, the debt service must be reduced by 15% to exclude the cost of the furniture. The amortization cost is the initial financing, not refinancing. Set-up charges may be included in the monthly amortization payment.

Annual Contributions Contract (ACC): The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program.

Annual Income: All amounts, monetary or not, that:

a. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member, or

b. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

c. Are not specifically excluded from Annual Income.

d. Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access.

Applicant (applicant family): A family that has applied for admission to a program but is not yet a participant in the program.

Assets: see net family assets.

Asset Income: Income received from assets held by household members. If assets total more than $5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income.

Assisted lease (lease): A written agreement between an owner and a family for the leasing of a dwelling unit to the family. 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 housing authority.

Certificate: A document issued by a housing authority to a family selected for admission to the Certificate Program. The certificate describes the program and the procedures for housing authority approval of a unit selected by the family. The certificate also states the obligations of the family under the program.

Certification: The examination of a household's income, expenses, and family composition to determine the household's eligibility for program participation and to calculate the household's rent for the following 12 months. (No longer issued after October 1, 1999)

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age.

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 childcare 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.

Common space: In shared housing: Space available for use by the assisted family and other occupants of the unit.

Congregate housing: Housing for elderly or persons with disabilities that meets the HQS for congregate housing.

Consent form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participants to determine eligibility or level of benefits.

Contiguous MSA: In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial housing authority 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.

Cooperative: Housing owned by a non-profit 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.

Domicile: The legal residence of the household head or spouse as determined in accordance with State and local law.

Decent, safe, and sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development.

Dependent: A member of the family (except foster children and foster adults) other than the family head or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student.

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 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.

Disabled person: See "person with disabilities."

Displaced family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling

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

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

Drug-related criminal activity: Illegal use or personal use of a controlled substance, and the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use, of a controlled substance.

Drug trafficking: The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance.

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

Evidence of citizenship or eligible status: The documents that must be submitted to evidence citizenship or eligible immigration status.

Exception rent: An amount that exceeds the published fair market rent.

Extremely low-income families: Family whose income is between 0 and 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 for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. HUD has set the one-person 30% of median income limit at least as high as the State SSI benefit level.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.).

Fair market rent (FMR): The rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately-owned existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. FMRs are published periodically in the Federal Register.

Family includes but is not limited to**:**

a. 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);
b. An elderly family;
c. A near-elderly family;
d. A disabled family;
e. A displaced family;
f. The remaining member of a tenant family; and
g. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

Family members: include all household members except live-in aides, foster children and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the HUD-50058 form.

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 a housing authority to promote self-sufficiency of assisted families, including the coordination of supportive services (42 U.S.C. 1437u).

Family share: The portion of rent and utilities paid by the family or the gross rent minus the amount of the housing assistance payment.

Family unit size: The appropriate number of bedrooms for a family as determined by the housing authority under the housing authority's subsidy standards.

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process, and, at the option of the housing authority, for interim reexaminations.

FMR/exception rent limit: The Section 8 existing housing fair market rent published by HUD headquarters, or any exception rent. For a tenancy in the Voucher Program, the housing authority may adopt a payment standard up to the FMR/exception rent limit.

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

Gross rent: The sum of the rent to the owner plus any utilities.

Group Home: A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

Head of household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

Household members: include all individuals who reside or will reside in the unit and who are listed on the lease, including live-in aides, foster children and foster adults.

Housing Assistance Payment (HAP): The monthly assistance by a housing authority, which includes (1) a payment to the owner for rent to the owner under the family's lease, and (2) an additional payment to the family if the total assistance payment exceeds the rent to owner.

Housing quality standards (HQS): The HUD minimum quality standards for housing assisted under the Section 8 program.

Housing voucher: A document issued by a housing authority to a family selected for admission to the Voucher Program. This document describes the program and the procedures for housing authority approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

Housing voucher holder: A family that has an unexpired housing voucher.

Imputed income: For households with net family assets of more than $5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used in determining annual income.

Income category: Designates a family's income range. There are three categories: low income, very low income and extremely low-income.

Incremental income: The increased portion of income between the total amount of welfare and earnings of a family member prior to enrollment in a training program and welfare and earnings of the family member after enrollment in the training program. All other amounts, increases and decreases, are treated in the usual manner in determining annual income.

Initial Housing Authority: In portability, both: (1) a housing authority that originally selected a family that later decides to move out of the jurisdiction of the selecting housing authority; and (2) a housing authority that absorbed a family that later decides to move out of the jurisdiction of the absorbing housing authority.

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 initial lease term.

Interim (examination): A reexamination of a household's income, expenses, and household status conducted between the annual recertifications when a change in a household's circumstances warrant such a reexamination.

Jurisdiction: The area in which the housing authority has authority under State and local law to administer the program.

Lease: A written agreement between an owner and 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 housing authority.

Legal capacity: The participant is bound by the terms of the lease and may enforce the terms of the lease against the owner.

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

a. Is determined to be essential to the care and well-being of the persons;
b. Is not obligated for the support of the persons; and
c. Would not be living in the unit except to provide the necessary supportive services.

Low-income families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families. [1937Act]

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.

Manufacture 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.

Medical expenses: 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.

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

Moderate rehabilitation: Rehabilitation involving a minimum expenditure of $1000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to:

a. upgrade to decent, safe and sanitary condition to comply with the Housing Quality Standards or other standards approved by HUD, from a condition below these standards (improvements being of a modest nature and other than routine maintenance); or
b. repair or replace major building systems or components in danger of failure.

Monthly adjusted income: One twelfth of adjusted income.

Monthly income: One twelfth of annual income.

Mutual housing is 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:

a. Net cash value after deducting reasonable costs that would be incurred in disposal of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
b. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
c. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received 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.

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

Notice Of Funding Availability (NOFA): For budget authority that HUD distributes by competitive process, the Federal Register document that invites applications for funding. This document explains how to apply for assistance and the criteria for awarding the funding.

Occupancy standards: The standards that the housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Owner: Any person or entity, including a cooperative, having the legal right to lease or sublease existing housing.

Participant (participant family): A family that has been admitted to the housing authority's program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the housing authority for the family (first day of initial lease).

Payment standard: In a voucher tenancy, the maximum monthly assistance payment for a family (before deducting the total tenant payment by family contribution). For a voucher tenancy, the housing authority sets a payment standard in the range from 90% to 110% of the current FMR.

Person with disabilities: A person who:

a. Has a disability as defined in Section 223 of the Social Security Act,

   "Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months, or

   In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

b. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

   (1) is expected to be of long-continued and indefinite duration,

   (2) substantially impedes his or her ability to live independently, and

   (3) is of such a nature that such ability could be improved by more suitable housing conditions, or

c. Has a developmental disability as defined in Section 102(7) of the of the Developmental Disabilities Assistance and Bill of Rights Act.

   "Severe chronic disability that:

   (1) is attributable to a mental or physical impairment or combination of mental and physical impairments;

   (2) is manifested before the person attains age 22;

(3) is likely to continue indefinitely;

(4) results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and

(5) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Portability: Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial housing authority.

Premises: The building or complex in which the dwelling unit is located, including common areas and grounds.

Private space: In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

Preservation: This program encourages owners of eligible multifamily housing projects to preserve low-income housing affordability and availability while reducing the long-term cost of providing rental assistance. The program offers several approaches to restructuring the debt of properties developed with project-based Section 8 assistance whose HAP contracts are about to expire.

Proration of assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance.

Public Housing Agency: A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing.

Reasonable rent: A rent to owner that is not more than charged: (a) for comparable units in the private unassisted market; and (b) for a comparable unassisted unit in the premises.

Receiving Housing Authority: In portability, a housing authority that receives a family selected for participation in the tenant-based program of another housing authority. The receiving housing authority issues a voucher, and provides program assistance to the family.

Re-certification: A reexamination of a household's income, expenses, and family composition to determine the household's rent for the following 12 months.

Remaining member of a tenant family: A member of the family listed on the lease who continues to live in an assisted household after all other family members have left.

Rent to owner: The monthly rent payable to the owner under the lease. Rent to owner covers payment for any housing services, maintenance, and utilities that the owner is required to provide and pay for.

Set-up charges: In a manufactured home space rental, charges payable by the family for assembly, skirting and anchoring the manufactured home.

Shared housing: A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family.

Shelter allowance: That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

Single person: Someone living alone or intending to live alone who does not qualify as an elderly person, a person with disabilities, a displaced person, or the remaining member of a tenant family.

Single room occupancy housing (SRO): A unit for occupancy by a single eligible individual capable of independent living that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities.

Special admission: Admission of an applicant that is not on the housing authority waiting list, or admission without considering the applicant's waiting list position.

Special housing types: Special housing types include: SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State, or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information.

Statement of family responsibility: An agreement in the form prescribed by HUD, between the housing authority and a family to be assisted under the Moderate Rehabilitation Program, stating the obligations and responsibilities of the family.

Subsidy standards: Standards established by a housing authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

Suspension: Stopping the clock on the term of a family's voucher, for such period as determined by the housing authority, from the time when the family submits a request for housing authority approval to lease a unit, until the time when the housing authority approves or denies the request. Also referred to as tolling.

Tenant: The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

Third-party (verification): Oral or written confirmation of a household's income, expenses, or household composition provided by a source outside the household, such as an employer, doctor, school official, etc.

Tolling: see suspension.

Total tenant payment (TTP):

(1) Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of :

a. 30% of the family's monthly adjusted income;

b. 10% of the family's monthly income;

c. Minimum rent; or

d. if the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

(2) If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under Section 3(a)(1) shall be the amount resulting from one application of the percentage.

Utility allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a housing authority or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility hook-up charge: In a manufactured home space rental, costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

Utility reimbursement: In the voucher program, the portion of the housing assistance payment that exceeds the amount of the rent to owner. It is only paid when the housing assistance payment exceeds the rent to owner. In the certificate program, if the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Verification:

a. The process of obtaining statements from individuals who can attest to the accuracy of the amounts of income, expenses, or household member status (e.g., employers, public assistance agency staff, doctors).

b. The three types of verification are:

   (1) Third-party verification, either written or oral, obtained from employers, public assistance agencies, schools, etc.

   (2) Documentation such as a copy of a birth certificate or bank statement

   (3) Family certification or declaration (only used when third-party or documentation verification is not available)

Very low-income families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families. [1937 Act]

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 (rental voucher): A document issued by a housing authority to a family selected for admission to the Housing Choice Voucher Program. This document describes the program and the procedure for housing authority approval of a unit selected by the family and states the obligations of the family under the program.

Voucher holder: A family holding a voucher with unexpired search time.

Waiting list admission: An admission from the housing authority waiting list. [24 CFR 982.4]

Welfare assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. [24 CFR 5.603(d)]

Welfare rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

Welfare -to-Work (MTW) families: Families assisted with voucher funding awarded under the HUD welfare-to-work voucher program.

ACRONYMS

ACC	Annual Contributions Contract
CACC	Consolidated Annual Contributions Contract
CFR	Code of Federal Regulations
FMR	Fair Market Rent
FSS	Family Self Sufficiency (program)
HA	Housing Authority
HAP	Housing Assistance Payment
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PBC	*Project-Based Certificate (program)*
QHWRA	Quality Housing and Work Responsibility Act of 1998
PHA	Public Housing Agency
TTP	Total Tenant Payment