OMB Approval No: 2577-0226
Expires: 08/31/2009

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

PHA Plans

Draft Annual Plan for Fiscal Year 2008

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 Sacramento

PHA Number: CA 005

PHA Fiscal Year Beginning: (mm/yyyy) 01/2008

PHA Programs Administered:

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

☐**Section 8 Only**
Number of S8 units:

☒**Public Housing Only**
Number of public housing units:

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

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

Public Access to Information

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

☒ Main administrative office of the PHA
☐ PHA development management offices
☒ PHA local offices (Twin Rivers, Alder Grove, Marina Vista, Public Housing Intake Office)

Display Locations For PHA Plans and Supporting Documents

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

☒ Main administrative office of the PHA
☐ PHA development management offices
☒ PHA local offices (Twin Rivers, Alder Grove, Marina Vista, Public Housing Intake Office)
☐ Main administrative office of the local government
☐ Main administrative office of the County government

☐ Main administrative office of the State government
☐ Public library (During comment period only)
☒ 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) :

Twin Rivers, Alder Grove, Marina Vista, Public Housing Intake Office.

Annual PHA Plan
PHA Fiscal Year 2008
[24 CFR Part 903.7]

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

☒ **Standard Plan**

☐ **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 has successfully implemented key requirements of HUD's new operating rule including:

- Placement of individual developments into 16 new HUD approved project groupings ("communities")
- Decentralization of staff to offices established in our new communities"
- Conversion to Project based accounting and management practices
- Completion of an assessment to establish HUD authorized property management fees
- Development of a management performance system
- Development of a long term capital plan
- Completion of an assessment of risks and implementation of strategies to address findings
- Reorganization of substantially reduced centralized services

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
ii. Table of Contents
1. Housing Needs……..6
2. Financial Resources……..12
3. Policies on Eligibility, Selection and Admissions……14
4. Rent Determination Policies……..22
5. Operations and Management Policies……...27
6. Grievance Procedures……....28
7. Capital Improvement Needs……..29

8. Demolition and Disposition ……..31
9. Designation of Housing…….33
10. Conversions of Public Housing…….34
11. Homeownership…….35
12. Community Service Programs……...45
13. Crime and Safety ……..47
14. Pets (Inactive for January 1 PHAs)……...49
15. Civil Rights Certifications (included in attachments)……...49
16. Audit……..49
17. Asset Management……50
18. Other Information……..50

Attachments

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

Required Attachments:

- ☒ Admissions Policy for Deconcentration
- ☒ FY 2008 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)
- ☒ List of Resident Advisory Board Members
- ☒ Community Service Description of Implementation
- ☒ Information on Pet Policy
- ☒ Section 8 Homeownership Capacity Statement, if applicable
- ☐ Description of Homeownership Programs, if applicable

Optional Attachments:

- ☐ PHA Management Organizational Chart
- ☐ FY 2008 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**

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

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
	eradication of pest infestation (including cockroach infestation)	
X	Public housing grievance procedures ☐ check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
	Section 8 informal review and hearing procedures ☐ check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
	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
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program ☐ check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
X	Other supporting documents (optional)	(specify as needed)

List of Supporting Documents Available for Review		
Applicable & On Display	**Supporting Document**	**Applicable Plan Component**
	(list individually; use as many lines as necessary)	

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 (City of Sacramento) by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Non-Elderly Income <= 30% of AMI	16,930	**5**	**n/a**	**4**	**3**	**4**	**5**
Non-Elderly Income >30% but <=50% of AMI	11,425	**5**	**n/a**	**4**	**3**	**4**	**5**
Non-Elderly Income >50% but <80% of AMI	14,578	**4**	**n/a**	**3**	**2**	**3**	**4**
Non-Elderly Subtotal	42,933						
Elderly Income <= 30% of AMI	3,872	**5**	**n/a**	**3**	**5**	**1**	**5**
Elderly Income >30% but <=50% of AMI	2,410	**5**	**n/a**	**3**	**5**	**1**	**5**
Elderly Income >50% but <80% of AMI	1,678	**5**	**n/a**	**3**	**4**	**1**	**4**
Elderly Subtotal	7,960						
Total Non-Elderly and Elderly Income <= 30% of AMI	20,802	**5**	**n/a**	**4**	**4**	**4**	**5**
Total Non-Elderly and Elderly Income >30% but <=50% of AMI	13,834	**5**	**n/a**	**4**	**4**	**4**	**5**

Housing Needs of Families in the Jurisdiction (City of Sacramento) by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Total Non-Elderly and Elderly Income >50% but <80% of AMI	16,256	**4**	**n/a**	**3**	**3**	**3**	**4**
Grand Total	50,892						
Individual with Disabilities	84,630 persons	**5**	**n/a**	**5**	**5**	**N/A**	**4**
Black Non-Hispanic Households	10,090	**5**	**n/a**	**5**	**4**	**5**	**5**
Hispanic Households	9,470	**5**	**n/a**	**5**	**4**	**5**	**5**
White Non-Hispanic Households	14,365	**4**	**n/a**	**3**	**3**	**4**	**4**
Other households (total households minus white, black and Hispanic households	16,967	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**

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

☒ Consolidated Plan of the Jurisdiction/s
Indicate year**: 2004-2007**

☒ U.S. Census data: the Comprehensive Housing Affordability Strategy
CHAS 2000 Datasets

☐ American Housing Survey data
Indicate year:

☐ Other housing market study
Indicate year:

☒ Other sources: (list and indicate year of information)

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

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

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

Housing Needs of Families on the Waiting List As of 9/1/07			
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	13,415		
Extremely low income <=30% AMI	11,543	86%	
Very low income (>30% but <=50% AMI)	1,595	11.9%	
Low income (>50% but <80% AMI)	229	1.7%	
Families with children	8,609	64.2%	
Elderly families *(Head of Household age 62 and older)*	3,075	22.9%	
Families with Disabilities *(Includes all families where one or more members are disabled.)*	1,899	14.2%	
Race / American Indian or Alaska Native	947	7.1%	
Race/Asian	1,237	9.2%	
Race/Black or African American	5,147	38.4%	
Pacific Islander	16	.1%	

Housing Needs of Families on the Waiting List As of 9/1/07			
Race/Native Hawaiian /other	0	0%	
Race / White	5,979	44.6%	
Race / Unknown / no response	89	.6%	
Ethnicity / Hispanic	2,218	16.5%	
Ethnicity / Non-Hispanic	11,197	83.5%	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	5,436	40.5%	
2 BR	5,357	39.9%	
3 BR	2,030	15.1%	
4 BR	385	2.9%	
5 BR	199	1.5%	
5+ BR	8	0.1%	

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

If yes:

How long has it been closed (# of months)? 14 months

Does the PHA expect to reopen the list in the PHA Plan year? ☒ 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

- [x] Employ effective maintenance and management policies to minimize the number of public housing units off-line
- [x] Reduce turnover time for vacated public housing units
- [x] 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
- [x] 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
- [x] Leverage affordable housing resources in the community through the creation of mixed - finance housing
- [x] 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
- [x] 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)
Move to asset-based model.

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 2008 grants)**		
a) Public Housing Operating Fund		
Public Housing Operating Fund	$5,859,404	Operations
a) Public Housing Capital Fund	$1,710,916	Various

Financial Resources: Planned Sources and Uses		
Sources	**Planned $**	**Planned Uses**
b) HOPE VI Revitalization		
c) HOPE VI Demolition		
d) Annual Contributions for Section 8 Tenant-Based Assistance		
e) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
f) Resident Opportunity and Self-Sufficiency Grants		
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		Public Housing Operating Expenses
4. Other income (list below)		
4. Non-federal sources (list below)		
Total resources		

form **HUD 50075** (03/2006)

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: Sixty Days
☐ Other: (describe)

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

☒ Criminal or Drug-related activity
☒ Rental history
☒ Housekeeping
☒ Other (describe)

- Overall suitability
- Bad debt owed to any PHA or party utility company
- Credit history

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

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

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

(2)Waiting List Organization

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

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

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

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

- By Internet
- By US mail

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? All

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)

- By Internet
- By US mail

(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)
Displaced by governmental action or natural disaster
Lottery number

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
1 Displaced by governmental action or natural disaster

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)
2 Lottery number

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

(5) Occupancy

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

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

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

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

(6) Deconcentration and Income Mixing

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

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

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

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

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

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

☐ Other (list policies and developments targeted below)

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

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

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

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)
☒ Not applicable: results of analysis did not indicate a need for such efforts
☐ List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)
☒ Not applicable: results of analysis did not indicate a need for such efforts
☐ List (any applicable) developments below:

B. Section 8

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

(1) Eligibility

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

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

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

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

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

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

(2) Waiting List Organization

a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)

☐ None
☐ Federal public housing
☐ Federal moderate rehabilitation
☐ Federal project-based certificate program
☐ Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

☐ PHA main administrative office
☐ Other (list below)

(3) Search Time

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

If yes, state circumstances below:

(4) Admissions Preferences

a. Income targeting

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

b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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

Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in your jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs

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

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

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (select one)
☐ This preference has previously been reviewed and approved by HUD
☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)
☐ The PHA applies preferences within income tiers
☐ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)
☐ The Section 8 Administrative Plan
☐ Briefing sessions and written materials
☐ Other (list below)

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?
☐ Through published notices
☐ Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

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

---or---

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

b. Minimum Rent

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

☐ $0
☐ $1-$25
☒ $26-$50

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

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

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

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

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

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

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

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

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

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

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

e. Ceiling rents

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

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

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

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

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

☐ Market comparability study

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

f. Rent re-determinations:

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

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

- Whenever there is a change in household composition

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

(2) Flat Rents

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

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

☐ At or above 90% but 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:

Executive Director
Director of Housing Authority Operations
Assistant Director of Public Housing
Regional Manager & Program Manager for City and County Housing Authority
Site Manager for 17 AMP's (Communities)
Assistant Site Managers for 3 AMP's
Maintenance and Site Management Staff at each AMP
Other staff at Central Services office and Director's office

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	2059	315
Section 8 Vouchers		
Section 8 Certificates		
Section 8 Mod Rehab		

Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		

C. Management and Maintenance Policies

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

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

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

(2) Section 8 Management: (list below)

- 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:

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

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

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

- Public Housing Intake and Housing Choice Voucher Office, 701 12th Street, Sacramento, CA 95814

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)

- Public Housing Intake and Housing Choice Voucher Office, 701 12th Street, Sacramento, CA 95814

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables

provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

☒ The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name) CA005a01

-or-

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

(2) Optional 5-Year Action Plan

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

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

b. If yes to question a, select one:

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

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: **City of Sacramento** **4052 Weymouth Ln (PIC unit # 522128)** **4225 Weymouth Ln (PIC unit # 522125)**

7312 Franklin Blvd #1 (PIC unit # 522127) 1b. Development (project) number: **CA005040**
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: **(02/01/2007)**
5. Number of units affected: 3 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: **12/1/07**

Demolition/Disposition Activity Description
1a. Development name: City of Sacramento ; 7045-47 24th Street 1b. Development (project) number: CAL 5020
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: (12/1/07)
5. Number of units affected: 2 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:

Demolition/Disposition Activity Description
1a. Development name: **Single Family Scattered Sites** **616 South Ave (PIC Unit 503487)** 1b. Development (project) number: **CA005025**
2. Activity type: Demolition ☐ Disposition ☒
3. Application status (select one)

form **HUD 50075** (03/2006)

Approved ☐ Submitted, pending approval ☐ Planned application ☒
4. Date application approved, submitted, or planned for submission: **(01/01/2007)**
5. Number of units affected: 3 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: **12/1/07**

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: **River Oak** 1b. Development (project) number: **CA005002**
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: (01/25/2000)
5. Number of units affected: 1 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description (Complete one for each development affected)

1a. Development name: **FAMILY SCAT**
1b. Development (project) number: **CA005019**

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: 01/25/2000)

6. Number of units affected: 70
6. Coverage of action: (select one)
☒ Part of the development
☐ Total development

Public Housing Homeownership Activity Description
(Complete one for each development affected)

1a. Development name: **FAMILY SCATT**
1b. Development (project) number: **CA005020**

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: (01/25/2000)

7. Number of units affected: 35
6. Coverage of action: (select one)
☒ Part of the development
☐ Total development

Public Housing Homeownership Activity Description

form **HUD 50075** (03/2006)

(Complete one for each development affected)
1a. Development name: **FAMILY SCATT** 1b. Development (project) number: **CA005021**
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: (01/25/2000)
8. Number of units affected: 29 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: **FAMILY SCATT** 1b. Development (project) number: **CA005025**
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: (01/25/2000)
9. Number of units affected: 30 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description

(Complete one for each development affected)
1a. Development name: **CITY OF SACRAMENTO** 1b. Development (project) number: **CA005035**
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: (01/25/2000)
10. Number of units affected: 27 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: **CITY OF SACRAMENTO** 1b. Development (project) number: **CA005040**
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: (01/25/2000)
11. Number of units affected: 1 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

form **HUD 50075** (03/2006)

Public Housing Homeownership Activity Description **(Complete one for each development affected)**
1a. Development name: **River Oak** 1b. Development (project) number: **CA005002**
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: (09/01/2005)
12. Number of units affected: 1 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description **(Complete one for each development affected)**
1a. Development name: FAMILY SCATT 1b. Development (project) number: CA00CA5019
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: (09/01/2005)
13. Number of units affected: 40 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

form **HUD 50075** (03/2006)

Public Housing Homeownership Activity Description **(Complete one for each development affected)**
1a. Development name: FAMILY SCATT SITES 1b. Development (project) number: CA005020
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: (09/01/2005)
14. Number of units affected: 21 15. 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description **(Complete one for each development affected)**
1a. Development name: FAMILY SCATT 1b. Development (project) number: CA00CA5021
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: (09/01/2005)
16. Number of units affected: 19 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

form **HUD 50075** (03/2006)

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: **CITY OF SACRAMENTO** 1b. Development (project) number: **CA005023**
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: (09/01/2005)
17. Number of units affected: 11 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: FAMILY SCATT SITES 1b. Development (project) number: CA005025
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: (09/01/2005)
18. Number of units affected: 18 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

form **HUD 50075** (03/2006)

Public Housing Homeownership Activity Description **(Complete one for each development affected)**
1a. Development name: **CITY OF SACRAMENTO** 1b. Development (project) number: **CA005035**
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: (09/01/2005)
19. Number of units affected: 14 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description **(Complete one for each development affected)**
1a. Development name: **CITY OF SACRAMENTO** 1b. Development (project) number: **CA005040**
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: (09/01/2005)
20. Number of units affected: 1 6. Coverage of action: (select one) ☒ Part of the development ☐ Total development

Public Housing Homeownership Activity Description **(Complete one for each development affected)**

1a. Development name: **CITY OF SACRAMENTO** 1b. Development (project) number: **CA005041**
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: (09/01/2005)
21. Number of units affected: 12 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

form **HUD 50075** (03/2006)

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)

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)
FSS –HCV	*91*	Specific Criteria	Development Office	Both
FSS - Public Housing	6	Specific Criteria	Development Office	Both
HCV -HO	52	Specific Criteria	Development Office	Both

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2008 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	0	6
Section 8	95	97

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

C. Welfare Benefit Reductions

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

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

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

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)

- 1725 K Street, 1318 E Street, Sherman Oaks, Glen Haven, Lincoln Manor, Twin Rivers, Marina Vista, Alder Grove.

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)
    - Installation of Security Cameras
    - Campus Card Access device installation
    - Criminal background checks will be performed on existing residents on a random basis and a targeted area with reported problems**.**

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

- 1725 K Street, 1318 E Street, Sherman Oaks, Glen Haven, Lincoln Manor, Twin Rivers, Marina Vista, Alder Grove.

C. Coordination between PHA and the police

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

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

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

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 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:

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

☐ Other: (list below)

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

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

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

3. Description of Resident Election Process

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

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

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

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: (City of Sacramento)

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

☒ The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.

☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

☐ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.

☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

☒ Other: (list below)

- The PHA meets quarterly with the Resident Advisory Board to exchange information and discuss issue or concerns.
- PHA staff provide referral service to residents, directly and via the quarterly newsletter.
- The PHA funds, or collaborates with other agencies to provide various activities designed to support self-sufficiency and independence, such as: painter, janitorial, landscaping, and clerical training programs, and Senior Nutrition Services.

4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)
   - See section 2 above.

D. Other Information Required by HUD

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

Definition of a Significant Amendment:

The Housing Authority hereby defines substantial deviation and significant amendment or modification as any change in policy, which significantly and substantially alters the Authority's stated mission and the persons the Authority serves. This would include admissions preferences, demolition or disposition

activities and conversion programs. Discretionary or administrative amendments consistent with the Authority's stated overall mission and basic objectives will not be considered substantial deviations or significant modifications.

Attachments

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

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

B. Fiscal year 2008 Capital Fund Program Annual Statement and 5-Year (see separate attachment ca007a01).

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

The Sacramento City Housing Authority is in the fourth year of the 5-Year portion of the PHA Plan for fiscal years 2005-2009.

The focus for Public Housing has been and will continue to be the improvement of PHAS scores with particular emphasis on the physical indicator and unit turn-around time.

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

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

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

D. Description of the PHA's Pet Policy

The PHA adopted a pet policy which allows residents to have pets, provided that they request permission to keep a pet in advance, sign a Pet Policy/Agreement and agree to paying a pet deposit. The pet policy covers common household pets such as dogs, cats, fish, birds, rabbits, and rodents.

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

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

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

E. Resident Advisory Board Members

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

RAB Board Members

ARDEN VILLA - Vacant
BELL - Gale Morgan
CAPITOL TERRACE - Robert Ball, Interim
COLONIAL HEIGHTS - Arnold Mohr
CREEKSIDE - Roy Griffin
CRYSTAL GARDENS - Debbie Surrett
TWIN RIVERS - Porsche McCullough
GIBSON OAKS - Mary Hamilton
GRAN CASA LINDA - Earlane Edwards
PARADISE MANOR - Edna Coleman
PINE KNOLL - Ernesto Jones
MARINA VISTA - Lea Floyd
SHERMAN OAKS - Helen O'Connell
SIERRA VISTA - Donna Ogburn
SUTTER'S VIEW - Carol Moss
WASHINGTON PLAZA- Vacant
WILLIAM LAND VILLA - Rebecca Hipolito

F. Resident Advisory Board

RECOMMENDATIONS

None Submitted

Annual Plan Attachments

ANNUAL PLAN OUTREACH

The Public Housing Authority held meetings throughout City and County to present the proposed Plan and receive feedback. These meetings were held in coordination with the Resident Advisory Board. Meeting notifications and postings notifying residents of the public comment period were posted at all sites. A presentation was also given at a Resident Advisory Board Meeting. The Plan and Attachments were available on the SHRA website and at site offices, as indicated in the Template. The notice of Public Comment Period and Hearing were published in the Sacramento Bee and on the SHRA website.

G. Public Comments

Legal Services Comment #1

Definition of Disability 1-4
Plan clearly states that alcoholism is a recognized disability under the ADA, the definition used by the PHA to determine disability. This disability cannot be qualified as a disability based on whether another impairment would still exist if the alcohol abuse was stopped.

SHRA Response
The paragraph offering clarification has been removed and a reference to 24 CFR 9 is included instead.

Legal Services Comment #2

Undue Hardship 1-5
When examining the number of families to likely need a particular accommodation in order to determine whether the accommodation would be an undue hardship, the assessment cannot be purely speculative but based on the types of accommodations requested by participants.

SHRA Response
When considering whether a requested accommodation presents an undue hardship to the Housing Authority, we review and analyze the data in order to gain some reasonable estimate of the impact of the decision so the assessment is not "purely speculative." The language in the Admin Plan says that we will consider "The number of families likely to currently need such accommodation" and this is achieved through a review of data.

Legal Services Comment #3

Language Assistance 1-9
California state law requires SHRA to translate documents for applicants and participants if 5% of the eligible population (the low income households in Sacramento County) speaks a language other than English.

SHRA Response
An additional bullet has been added which says:

7) When at least 5% of the population of Sacramento County speak a non-English language, the Housing Authority will ensure that any outreach to the general community (ie, when a waiting list opens) is done in those languages, in both written and verbal media.

Legal Services Comment #4

Applicants with Non-biological Children 2-6

SHRA must comply with federal and state fair housing laws which prohibit discrimination based on familial status. The federal Fair Housing Act defines familial status as a person with legal custody of an individual under 18 years of age or a person who has written permission from the person with custody. 24 C.F.R. § 100.20. Therefore, SHRA cannot restrict the definition of a family beyond that of the federal fair housing laws. Attached to this letter are two HUD opinions issued to two different PHAs determining that requiring legal custody or guardianship is an unreasonable restriction.

SHRA Response

Change implemented.

Legal Services Comment #5

Interview 3-4

Per our discussions, SHRA will modify the policy regarding an applicant that fails to respond to an initial letter by allowing a participant who contacts SHRA within 90 days to have an appointment scheduled.

SHRA Response

Change implemented.

Legal Services Comment #6

Subsidy Standards 5-1

Currently the Admin Plan will not allow the addition of a family member, other than by birth, adoption, or court awarded custody, if the family will be underhoused as a result. This policy may have a disparate impact on households where it is customary for extended families to live together, such as a request to add an elderly parent to the household.

SHRA Response

This is not expected to be a problem unless families request, and are approved, to add multiple people to the household. No change implemented.

Legal Services Comment #7

Regular Contributions 6-11

Per our discussion, SHRA will modify this section to read that loans that occur regularly for six month will be determined contributions. Loans can never be counted as income but contributions may be included in determining income.

SHRA Response

Change implemented.

Annual Plan Attachments

Legal Services Comment #8

Briefings 8-1
Per our discussions, SHRA will remove the sentence that briefings will only be in English. Applicants are advised in the letter scheduling their briefing that it will be conducted in English.

SHRA Response
Change implemented

Legal Services Comment #9

Rent Reasonableness and Search Time 11-4 and 11-5
In order to determine whether the payment standard is sufficient SHRA should review twice a year how many families are paying more than thirty percent (30%) of their income in rent as well as how many families are able to find safe, sanitary housing within the sixty (60) day search time. According to our discussions with SHRA, staff is attempting to design a search that will provide them with the above information.

SHRA Response
Legal Services' comments are correct and these are some of the factors considered when the Housing Authority evaluates the data and determines the Payment Standard amount. The other factor to be considered is, of course, the funding available.

Legal Services Comment #10

Portability 13-4
Throughout this page the PHAs should be identified as the initial PHA and the receiving PHA. As currently written it is very confusing as to which PHA the Plan refers.

SHRA Response
Change implemented.

Legal Services Comment #11

Contract Termination 14-1
The Plan incorrectly states that the contract between the owner and the PHA may be terminated by the tenant. The tenant is not a party to the HAP contract and therefore cannot terminate the HAP contract.

SHRA Response
Change implemented.

Legal Services Comment #12

Termination of Assistance 15-1
The Plan needs to clarify the grounds for termination of assistance included on page 15-1 which states, "To refuse to process or provide assistance under portability procedures." From the previous sentence it is unclear what action the PHA would be taking and what the status of the participant would be.

SHRA Response
This bullet was removed.

Legal Services Comment #13

Drug Related Criminal Activity 15-6

The Plan allows the PHA to exercise discretion in considering a family eligible if the household was evicted from federally assisted housing for drug related criminal activity. This discretion should be permissible not only if the criminally accused household member is dead or imprisoned but if they are no longer part of the household.

SHRA Response
Change implemented.

Legal Services Comment #14

Option to Terminate for Misrepresentation 15-11

Remove the reference to re-payment plans in this section as SHRA will no longer allow a re-payment plan but will only accept payment in full.

SHRA Response
Change implemented.

Public Housing Admissions and Continued Occupancy Policy

Legal Services Comment #1

Undue Hardship and Language Assistance p. 6-7

See comments for Admin Plan: Chapter One, Language Assistance and Undue Hardship

SHRA Response
The same correction will be made in the ACOP that was described for the Admin Plan.

Legal Services Comment #2

Live-In Aides p. 5

Per our discussion, SHRA will modify this section to clarify that a live-in aide can apply and be approved for conventional housing, but that they must move from their current subsidized unit upon initiating a Conventional lease.

SHRA Response
Change implemented.

Legal Services Comment #3

Standard for Violation p. 16

Per our discussions, SHRA will modify this section to state that applicants on probation or within 12 months of release of probation for drug related or serious violent criminal activity will be denied admission. This modification will allow applicants on probation for non-serious offenses, that do not affect their suitability as a tenant, to be admitted into the program.

SHRA Response
Language changed to differentiate in-eligibility standards for applicants on probation and parole.

The Public Housing Authority (PHA) will deny admission to the program, applicants currently on parole or whose parole release is within 12 months of the date of application.

The PHA will deny admission to the program, applicants currently on probation for drug related or violent criminal activity or whose probation release for these convictions is within 12 months of the date of application.

Legal Services Comment #4

Per our discussions, SHRA will modify the policy regarding an applicant that fails to respond to an initial letter by allowing a participant who contacts SHRA within 90 days to have an appointment scheduled.

SHRA Response

The same correction will be made in the ACOP that was described for the Admin Plan.

Legal Services Comment #5

Determining Factors for Household Additions p. 8:

See comment for Chapter Five of Admin Plan.

SHRA Response

This is not expected to be a problem unless families request, and are approved, to add multiple people to the household. No change implemented.

Legal Services Comment #6

While we could not locate the change regarding Non-Biological Minor Children in the ACOP, please see the comment to the Admin Plan regarding our position on this change.

SHRA Response

The Housing Authority will ensure that non-biological children are added to the family composition in the same manner for the Housing Choice Voucher program and Conventional Public Housing.

H. Resident Membership of the PHA Governing Board

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

I. Community Service and Self-Sufficiency Requirements

At the time the family prepares to move in to a public housing unit, the lease requirement to perform community service will be explained. All adult family members who are not exempt from this requirement will be given a “Community Service and Self-Sufficiency Resource Form” listing the phone numbers of the local Volunteer Bureau and sites where they can receive job training. Family members will be encouraged to contact these agencies if they need assistance

finding places where they can fulfill this requirement. No exempt adult residents will be given the appropriate form so that a representative from the organization can sign, verifying that the resident family member completed their service hours.

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

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

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

The ACOP includes a full chapter (Chapter15) to further explain the PHA policy on the community service requirement.

J. HCV Homeownership Program Capacity Statement

At this time the HCV Homeownership Program is not pulling from its wait pool due to a lack of funding.

ESTIMATED ANNUAL FUNDING ALLOCATION = CITY HA

ANNUAL BUDGET	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
Projected Budgets	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**	**$3,924,855**
1406 - 0PERATIONS																
Annual Operations	$392,485	$392,485	$392,485	$724,248	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485	$392,485
1408 - MANAGEMENT IMPROVEMENTS																
Resident Training/Programs	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820	$530,820
Resident Programs	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000
Computers/Software/Vehicle Replacement	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000	$35,000
1410 - ADMINISTRATION																
Program Administration	$100,000	$100,000	$100,000	$265,882	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000
Procurement/Wage	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242	$73,242
Sundry	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000
Travel	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000	$8,000
1430 - FEES & COSTS - 8%																
Permits/Fees/Sundry-Blueprinting Costs	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000	$52,000
Architects/Engineers	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723	$181,723
Labs/Testing/Other Costs	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387	$57,387
HA-Wide LBP Inspections	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000
Determination/Section3 & MBE/WBE	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000	$62,000
1495 - RELOCATION COSTS																
Relocation Team/Materials	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000
BUDGETED AMOUNT	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$2,165,302**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**	**$1,667,657**
AMOUNT AVAILABLE	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$1,759,553**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**
CONSTRUCTION FUNDS	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$1,759,553**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$2,257,198**	**$700,000**
TOTAL AVAILABLE	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$1,557,198**
CAPITAL FUND YEAR	**Year 2005**	**Year 2006**	**Year 2007**	**Year 2008**	**Year 2009**	**Year 2010**	**Year 2011**	**Year 2012**	**Year 2013**	**Year 2014**	**Year 2015**	**Year 2016**	**Year 2017**	**Year 2018**	**Year 2019**	**Year 2020**
CA 5-1 New Helvetia - I																
Structural Repairs/Apron/Stairs ($120,000 per Phase or $240,000)																
HVAC Install																
(3)A Metal Door Replace (spread over 3 years)			$58,125	$58,125	$58,125											
(6) Window Replacement																
(4) D Kitchen Cabinet Remodel																
(8) Bathroom Upgrade																
(4) A Locate & replace Shut-Off Valves									$130,000	$130,000						
Tree Trimming/Replacement	$6,094	$11,094	$6,621													
(2) Upgrade Venting System to Prevent Mold		$74,250	$74,250													
(4) D Replace Water Mains Throughout Complex																
(2) Playground Repair		$60,000														
(3)A Replace Roof /Gutter (spread over 5 years)			$300,000	$300,000	$300,000	$300,000	$300,000									
Preventative Maintenance																

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

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

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

CAPITAL FUND YEAR	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020
CA 5-20 River Oaks Scat Sites																
(4) C Mod - 7743 Reenel			$100,000													
C 6129 Hermosa			$50,000								$100,000					
B 3937 Belden St						$100,000										
B 44 Ford Rd.							$100,000									
C 7786 Detroit Blvd.								$100,000								
C 2327 John Still Dr.											$100,000					
B 3628 Clay St							$100,000									
C 7045 & 7047 24th St.			$65,000													
C 2221/2223 16th Ave											$200,000					
A 3740 & 3744 9th Ave.			$200,000													
C 1500 & 1522 Armington Ave.											$200,000					
C 1501 & 1505 Anoka Ave.											$200,000					
C 7221 Fruitridge/5550 Emerson											$214,396					
A 3509-15 36th St.-Mod				$350,000												
Preventative Maintenance																
CA 5-21 Substantial Rehab NH																
(4)A 4556-68 10th Ave - Full MOD				$51,428												
(3)A 3250 W Street - Full MOD 9 (CD funds?)																
(4)B 309 & 311 Graves Ave							$200,000									
(4)B 1142 & 1144 Grand Ave							$200,000									
Preventative Maintenance																
CA 5-22 Alkali Flat																
Preventative Maintenance																
CA 5-23 Oak Park Single Family																
(4)A 3254 Santa Cruz Wy			$98,611													
Preventative Maintenance																
CA 5-24 Oak Park Town																
(4) A Asphalt																
(7) Painting										$37,198						
(5) Gate Replacemet w/Roll Gate						$52,198										
(1) 2920 35th St .- Door Access	$75,000															
(4) {3}HVAC Replacement																
Preventative Maintenance																
CA 5-25 Substantial Rehab -																
(4)C 3672 Reel Circle											$100,000					
(4)C 200 Redondo Ave											$100,000					
C 7557 18th St.							$100,000									
B 4137 Rio Linda Blvd.			$100,000													
C 375 Lindley Dr		$100,000														
A 3421 & 3423 19th Av					$200,000											
A 4058/4060 Sumac Av																
Preventative Maintenance																

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

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

ESTIMATED ANNUAL FUNDING ALLOCATION = COUNTY HA

SUMMARY

ANNUAL BUDGET	YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
Projected Budgets for 2005 - 2020	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**	**$2,073,051**
1406 - 0PERATIONS																
Annual Operations	$248,754	$248,754	$248,754	$414,610	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754	$248,754
1408 - MANAGEMENT IMPROVEMENTS																
Resident Training/Programs	$332,088	$332,088	$332,088	$377,297	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088	$332,088
Security Initiatives																
Computers/Software/Vehicle Replacement	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313	$37,313
1410 - ADMINISTRATION																
Program Administration	$60,000	$60,000	$60,000	$163,653	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000
Procurement/Wage Determination/Section3/MBE/WBE	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652	$32,652
Sundry	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000	$6,000
Travel	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000	$5,000
1430 - FEES & COSTS																
Permits/Fees/Sundry-Blueprinting Costs	$24,875	$24,875	$24,875	$19,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875	$24,875
Architects/Engineers	$85,883	$85,883	$85,883	$66,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883	$85,883
Agency Architect/Drafting	$45,771	$45,771	$45,771	$30,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771	$45,771
Construction Technicians	$49,751	$49,751	$49,751	$34,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751	$49,751
Lead Inspections/Monitoring	$15,191	$15,191	$15,191	$10,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191	$15,191
Labs/Testing/Other Costs	$29,851	$29,851	$29,851	$24,231	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851	$29,851
1495 - RELOCATION COST																
Relocation Team/Materials	$15,000	$15,000	$15,000	$25,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000	$15,000
BUDGETED AMOUNT	**$988,129**	**$988,129**	**$988,129**	**$1,248,227**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**	**$988,129**
AMOUNT AVAILABLE	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$824,824**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**
CONSTRUCTION FUNDS	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$824,824**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**	**$1,084,922**
TOTAL AVAILABLE	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
CAPITAL FUND YEAR	**YEAR 2005**	**YEAR 2006**	**YEAR 2007**	**YEAR 2008**	**YEAR 2009**	**YEAR 2010**	**YEAR 2011**	**YEAR 2012**	**YEAR 2013**	**YEAR 2014**	**YEAR 2015**	**YEAR 2016**	**YEAR 2017**	**YEAR 2018**	**YEAR 2019**	**YEAR 2020**
CA 7-1 Dos Rios																
(3) Modernization- Phase 12			$390,000		$390,000											
(3) Modernization- Phase 13						$383,500	$383,500	$383,500								
(3) Tree Study - Arborist			$10,000	$10,000	$10,000	$10,000	$10,000									
(5) Additional Street Lighting																
(4) Replace Water Mains- Complex																
(1) Playground 2 Repairs		$60,000														
Preventative Maintenance																
CA 7-2 Dos Rios Scat Sites																
(4) B 3820, 3832 Alder					$24,558	$175,942										
B 3913 Alder, 3812 Alder		$39,442	$94,442													
B 3925 & 3917 Dry Creek Rd							$124,058	$75,942								
B 3640 Belden Rd							$100,000									
B 3618 & 3640 Branch						$200,000										

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

Preventative Maintenance																

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

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

(4) C Portsmouth-Roofing																
(4) B {1} Perry - HVAC									$50,000							
CAPITAL FUND YEAR	YEAR 2005	YEAR 2006	YEAR 2007	YEAR 2008	YEAR 2009	YEAR 2010	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015	YEAR 2016	YEAR 2017	YEAR 2018	YEAR 2019	YEAR 2020
(8) Perry - Envelope																
(4) D Perry Siding																
(4) C Dain - Asphalt/Striping																$25,000
(4) C S. Whiterock - Asphalt																$25,000
(4) C Perry - Asphalt																$25,000
(4) C Portsmouth-Asphalt																$29,442
(4) C Perry - Landscaping/Drainage																
(4) D S. Whiterock -Drainage																
(4) D Lang - Siding																
(8) Lang - Envelope																
(4) D (8) Lang - HVAC																
Preventative Maintenance																
CA 7-36 Gunn/Grove/Columa/Main Ave./Whitney/Walegra																
(4) A Grove- Exterior Painting									$28,000							
(4) C Main - Asphalt-Stripe																
(4) C Coloma - Asphalt-Stripe																
(4) C Gunn - Asphalt-Stripe																
(4) A Coloma - Irrigation-Replanting									$20,000							
(3) Envelope - 8233 Walegra	$419,442			$105,344												
(2) Playground		$50,000		$50,000												
Preventative Maintenance																
CA 7-37 Young Street																
(4) C Asphalt-Slurry-Stripe																
Preventative Maintenance																
CA 7-38 41st/42nd/North Crest																
(3) North Crest - Envelope & Water Penetration																
(4) D (4) North Crest - HVAC																
(3) 41st & 42nd Flooring Replacment				$84,000												
(3) North Crest - Erosion				$60,000												
(4) C North Crest - Asphalt																
(2) Playground Repair - Northcrest		$30,000														
Preventative Maintenance																
HA- Wide Preventive Maintenance																
	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480	$315,480

CAPITAL FUND PRIORITY LIST - CITY

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

CAPITAL FUND PRIORITY LIST - CITY

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

CAPITAL FUND PRIORITY LIST - CITY

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

CAPITAL FUND PRIORITY LIST - CITY

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

10/19/20079:22 AM

CAPITAL FUND PRIORITY LIST - CITY

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

CAPITAL FUND PRIORITY LIST - CITY

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

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

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

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

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

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

OFFICE OF PUBLIC AND INDIAN HOUSING

Ms. Anna Moore
Executive Director
Sacramento Housing and Redevelopment Agency
630 I Street, 3rd Floor
Sacramento, CA 95814

Dear Ms. Moore:

This letter is in response to the Sacramento Housing and Redevelopment Agency's (SHRA) proposed Designated Housing Plan that was received in HUD's Office of Public and Indian Housing (PIH) on June 14, 2005. The Plan proposes to designate as elderly only, 288 units or 9 percent of the SHRA's inventory of 3,190 units, at the development(s) noted below:

Development Name	Development Number	Bedroom Type Proposed for Designation				Total Units Proposed for Designation	Total Public Housing Units
		0 BR	1-BR	2-BR	3-BR		
Gibson Oaks	CA005015	0	80	0	0	80	
Pine Knoll	CA005017	0	30	0	0	30	
Sutterview	CA006005	0	70	0	0	70	
Riverview Apts.	CA005016	0	108	0	0	108	
Total		0	288	0	0	288	3,190

The Plan was reviewed in accordance with the requirements of Section 7 of the United States Housing Act of 1937, and Notice PIH 2005-2. The Department reviewed information provided by the HUD San Francisco State Office of Public Housing, as well as additional information you submitted (via email) to PIH on August 4, 2005.

Based on the information available to us, the Plan is approved. The Plan will be in effect for 5 years from the date of this letter. Upon the expiration of the 5 year period, the SHRA may apply to extend the designation for additional 2 year increments.

If you have any questions regarding this matter, please feel free to contact Renee Knoppar or Melissa Bell at (202) 708-0614, ext. 6263 and 4021 respectively.

The Department wishes the SHRA success in implementing its Designated Housing Plan.

Sincerely,

Milan Ozdinec
Acting Deputy Assistant Secretary
for Public Housing and Voucher Programs

RESOLUTION NO. SHRC- 07-030

ADOPTED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION UNDER THE AUTHORITY DELEGATED TO THE COMMISSION PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE, SECTION 33202 BY RESOLUTION NO. RA 81-083 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. RA-83 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981, AND PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34292 BY RESOLUTION NO. HA 81-098 ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. HA-1497 ADOPTED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981.

ON DATE OF

September 19, 2007

2008 COMPREHENSIVE AGENCY PLAN FOR THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO AND HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO

WHEREAS, a duly noticed public hearing was held on September 19, 2007, on the 2008 Comprehensive Agency Plan (Plan) on behalf of the Housing Authority of the City of Sacramento and the Housing Authority of the County of Sacramento; and

WHEREAS, the proposed Plan changes were presented to the Resident Committees and the Resident Advisory Board, and made available to the public.

NOW, THEREFORE, BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. After due consideration of the facts presented, the findings, including the environmental findings regarding this action, as stated in the staff report that accompanies this resolution, are approved.

Section 2. The 2008 Comprehensive Agency Plan is hereby approved.

Section 3. The Executive Director or her designee is authorized to make non-substantive changes to the Plan based on any additional public comments received.

Section 4. The Executive Director or her designee is authorized to make changes to the Plan as directed by the Department of Housing and Urban Development or required to comply with the Quality Housing and Responsibility Act of 1998.

Section 5. The Executive Director or her designee is authorized to execute all necessary documents for the submission and certification of compliance of the 2008 Comprehensive Agency Plan as required by the Department of Housing and Urban Development or to comply with the Quality Housing and Responsibility Act of 1998.

CHAIR

ATTEST:

CLERK

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan

I, *Anne Moore* the *Executive Director of SHRA* certify that the Five Year and Annual PHA Plan of the *Sacramento County Housing Authority* is consistent with the Consolidated Plan of *Sacramento County* prepared pursuant to 24 CFR Part 91.

10/17/07

Signed / Dated by Appropriate State or Local Official

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan

I, *Anne Moore* the *Executive Director of SHRA* certify that the Five Year and Annual PHA Plan of the *Sacramento City Housing Authority* is consistent with the Consolidated Plan of *Sacramento County* prepared pursuant to 24 CFR Part 91.

10/17/07

Signed / Dated by Appropriate State or Local Official

PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual PHA Plans

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the Standard Annual Plan for the PHA fiscal year beginning January 1, 2008, hereinafter referred to as" the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
7. For PHA Plan that includes a policy for site based waiting lists:
· The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
· The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
· Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
· The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
· The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA has submitted with the Plan a certification with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA has submitted with the Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.

13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property

Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

Sacramento City Housing Authority — PHA Name

CA 005 — PHA Number/HA Code

_X_ Standard PHA Plan for Fiscal Year: 2008

___ Standard Five-Year PHA Plan for Fiscal Years 20__ - 20__, including Annual Plan for FY 20__

___ Streamlined Five-Year PHA Plan for Fiscal Years 20__ - 20__, including Annual Plan for FY 20__

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penaltics. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Anne M. Moore	Executive Director
Signature X	Date 10/17/07

form **HUD-50077** (04/30/2003)

PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual PHA Plans

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the Standard Annual Plan for the PHA fiscal year beginning January 1, 2008, hereinafter referred to as" the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
7. For PHA Plan that includes a policy for site based waiting lists:
· The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
· The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
· Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
· The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
· The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA has submitted with the Plan a certification with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA has submitted with the Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.

13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property

Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

Sacramento County Housing Authority_ CA 007__
PHA Name PHA Number/HA Code

_X_ Standard PHA Plan for Fiscal Year: 2008
___ Standard Five-Year PHA Plan for Fiscal Years 20__ - 20__, including Annual Plan for FY 20__

___ Streamlined Five-Year PHA Plan for Fiscal Years 20__ - 20__, including Annual Plan for FY 20__

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Anne M. Moore	Executive Director
Signature X	Date 10/17/07

form **HUD-50077** (04/30/2003)

OMB Approval No. 2577-0157 (Exp. 3/31/2010)

Certification of Payments to Influence Federal Transactions

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

Applicant Name

Sacramento Housing and Redevelopment Agency

Program/Activity Receiving Federal Grant Funding

Sacramento County Housing Authority

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Anne M. Moore	Executive Director
Signature	Date (mm/dd/yyyy)
	10/17/07

OMB Approval No. 2577-0157 (Exp. 3/31/2010)

Certification of Payments to Influence Federal Transactions

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

Applicant Name

Sacramento Housing and Redevelopment Agency

Program/Activity Receiving Federal Grant Funding

Sacramento City Housing Authority

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Anne M. Moore	Executive Director

Signature	Date (mm/dd/yyyy)
	10/17/07

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action:
[b] a. contract
b. grant
c. cooperative agreement
d. loan
e. loan guarantee
f. loan insurance

2. Status of Federal Action:
[a] a. bid/offer/application
b. initial award
c. post-award

3. Report Type:
[a] a. initial filing
b. material change
For Material Change Only:
year _____ quarter _____
date of last report _____

4. Name and Address of Reporting Entity:
[x] Prime [ ] Subawardee

Sacramento City Housing Authority, 630 I Street
Sacramento CA 95814

Congressional District, *if known*: 5th

5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:

N/A

Congressional District, *if known*:

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, *if applicable*: _____

8. Federal Action Number, *if known*:

9. Award Amount, *if known*:
$

10. a. Name and Address of Lobbying Registrant
(*if individual, last name, first name, MI*):
N/A

b. Individuals Performing Services (*including address if different from No. 10a*)
(*last name, first name, MI*):
None

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature: _____
Print Name: Anne M. Moore
Title: Executive Director
Telephone No.: 916-440-1333 Date: 10/16/07

Federal Use Only:

Authorized for Local Reproduction
Standard Form LLL (Rev. 7-97)

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action:
[b] a. contract
b. grant
c. cooperative agreement
d. loan
e. loan guarantee
f. loan insurance

2. Status of Federal Action:
[a] a. bid/offer/application
b. initial award
c. post-award

3. Report Type:
[a] a. initial filing
b. material change
For Material Change Only:
year _____ quarter _____
date of last report _____

4. Name and Address of Reporting Entity:
[x] Prime [ ] Subawardee
Tier _____, *if known*:

Sacramento County Housing
Authority, 630 I Street
Sacramento CA 95814

Congressional District, *if known*: 5th

5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:

N/A

Congressional District, *if known*:

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, *if applicable*: _____

8. Federal Action Number, *if known*:

9. Award Amount, *if known*:
$

10. a. Name and Address of Lobbying Registrant
(*if individual, last name, first name, MI*):
N/A

b. Individuals Performing Services (*including address if different from No. 10a*)
(*last name, first name, MI*):
None

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature: [signature]
Print Name: Anne M. Moore
Title: Executive Director
Telephone No.: 916-440-1333 Date: 10/16/07

Federal Use Only:

Authorized for Local Reproduction
Standard Form LLL (Rev. 7-97)

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Sacramento Housing and Redevelopment Agency

Applicant Name

Sacramento City Housing Authority

Program/Activity Receiving Federal Grant Funding

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federalagency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Sacramento City

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Anne Moore	Executive Director
Signature	**Date**
X	10/17/07

form **HUD-50070** (3/98)
ref. Handbooks 7417.1, 7475.13, 7485.1 & .3

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Sacramento Housing & Redevelopment Agency

Applicant Name

SACRAMENTO COUNTY Housing Authority

Program/Activity Receiving Federal Grant Funding

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federalagency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Sacramento County

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
ANNE Moore	Executive Director
Signature	**Date**
X	10/17/07

form **HUD-50070** (3/98)
ref. Handbooks 7417.1, 7475.13, 7485.1 & .3

The Housing Authority

Of the

City & County of Sacramento

2008Admissions And Continued Occupancy Policy (ACOP)

Effective 1/1/2008

"DRAFT FOR PUBLIC COMMENT"

(Page Formatting TBD)

TABLE OF CONTENTS

HOUSING AUTHORITY ADMISSIONS AND CONTINUED OCCUPANCY POLICY

Chapter 1-STATEMENT OF POLICIES AND OBJECTIVES

A. Public Housing Agency Mission Statement 1-1
B. Local Objectives 1-1
C. Purpose of the Policy 1-2
D. Fair Housing Policy 1-3
E. Reasonable Accommodation Policy 1-3
F. Translation of Documents and Plan for Language Assistance for Limited English Proficiency (LEP) Persons 1-5
G. Family Outreach 1-6
H. Privacy Rights 1-7
I. Posting of Required Information 1-7
J. Public Housing Management Assessment System (PHAS) Objectives 1-8

Chapter 2-ELIGIBILITY FOR ADMISSION

A. Factors Affecting Admission 2-1
B. Family Composition 2-3
C. Income Limitations 2-6
D. Social Security Numbers 2-6
E. Citizenship/Eligible Immigration Status 2-6
F. Other Criteria for Admission 2-7
G. Denial of Admission for Drug-Related and/or Other Criminal Activity 2-13

Chapter 3-APPLYING FOR ADMISSION

A. Overview of the Pre-Application Process 3-1
B. Completion of a Full Application 3-3
C. Final Determination and Notification of Eligibility 3-5

Chapter 4-RESIDENT SELECTION AND ASSIGNMENT PLAN

A. Management of the Waiting List 4-1
B. Site Based Waiting Lists 4-2
C. Assignment of Units Designated for the Elderly, Disabled, or Mixed Use 4-3
D. General Occupancy Units 4-4
E. Accessible Units 4-4
F. Offer of Placement on the Housing Choice Voucher (HCV) 4-4
G. Removal From Waiting List and Purging 4-5
H. Waiting List Preferences 4-5
I. Preference Denial 4-6
J. Special Admissions 4-6

K. Matching Unit and Family Characteristics....4-7
L. Income Targeting....4-7
M. Deconcentration of Poverty and Income-Mixing....4-8
N. Plan for Unit Offers....4-9
O. Changes Prior to Unit Offer....4-10
P. Applicant Status After Final Unit Offer....4-10
Q. Time-Limit For Acceptance of Unit....4-10
R. Refusal of Offer....4-11

Chapter 5-OCCUPANCY GUIDELINES

A. Determining Unit Size....5-1
B. Exceptions to Occupancy Standards....5-2
C. Accessible Units....5-4

Chapter 6-DETERMINATION OF TOTAL TENANT PAYMENT

A. Minimum Rent....6-1
B. Income and Allowances....6-4
C. Disallowance of Earned Income from Rent Determinations-(EID)....6-5
D. Individual Savings Accounts....6-8
E. Training Programs Funded By HUD....6-8
F. Wages From Employment with the PHA or Resident Organization....6-8
G. Averaging and Annualizing Income....6-8
H. Minimum Income....6-8
I. Income of Person Permanently Confined to Nursing Home....6-9
J. Regular Contributions and Gifts....6-9
K. Alimony and Child Support....6-9
L. Lump Sum Receipts....6-10
M. Assets and Asset Income....6-11
N. Contributions to Retirement Funds....6-11
O. Assets Disposed of For Less Than Market Value....6-12
P. Childcare Expenses....6-12
Q Disability Assistance Expense....6-13
R. Medical Expenses....6-13
S. Proration of Assistance For “Mixed” Families....6-14
T. Income Changes Resulting From Welfare Program Requirements....6-14
U. Utility Allowance and Utility Reimbursement Payments....6-14
V. Family Choice Rents....6-15
W. PHA’s Flat Rent Methodology....6-16

Chapter 7-VERIFICATION PROCEDURES

A. Methods of Verification and Time Allowed....7-1
B. Release of Information....7-6
C. Items to be Verified....7-7
D. Verification of Income....7-8
E. Income from Assets....7-11
F. Verification of Assets....7-12
G. Verification of Allowable Deductions From Income....7-13

H. Verifying Non-Financial Factors 7-15
I. Verification of Waiting List Preferences 7-20
J. Verification of Suitability for Admission 7-20

Chapter 8-TRANSFER POLICY

A. Involuntary (Mandatory) Transfers 8-1
B. Voluntary Transfers 8-2
C. Transfer Waiting List 8-3

Chapter 9-LEASING

A. Lease Terms and Conditions 9-1
B. Lease Orientation 9-5
C. Execution of Lease 9-5
D. Additions to the Lease 9-8
E. Leasing Units with Accessible or Adaptable Features 9-9
F. Utility Services 9-11
G. Security Deposits 9-11
H. Rent Payments 9-12
I. Fees and Nonpayment Penalties 9-12
J. Schedule of Fees and Charges 9-12
K. Modifications to the Lease 9-12
L. Cancellation of the Lease 9-13
M. Inspections of Public Housing Units 9-13
N. Pest Control 9-16
O. Trash Disposal and Recycle Program 9-16
P. Appliances 9-16
Q. Screen Doors 9-17
R. Window Coverings 9-17
S. Gardening 9-17
T. Parking 9-17
U. Inoperative and Abandoned Vehicles 9-18
V. Miscellaneous Policies 9-18
W. Key Control 9-18
X. Wading Pools 9-19

Chapter 10-PET POLICY

A. Registration of Pets 10-1
B Non-Applicability of Pet Policy to Animals that Assist Persons with Disabilities 10-1
C. Advance Permission, Registration, and Pet Deposits 10-2
D. Prohibited Animals 10-3
E. Additional Prohibitions and Requirements 10-4
F. Inspections and Other Rights of the Authority 10-5
G. Pet Removal 10-5
H. Termination of Tenancy 10-5
I. Disposition of Pet Deposit(s) 10-6
J. Liability 10-6
K. Refusal to Register Pets 10-6

L. Pets Temporarily on the Premises 10-6

Chapter 11-RECERTIFICATIONS

A. Eligibility for Continued Occupancy 11-1
B. Annual Recertifications 11-1
C. Reporting Interim Changes 11-5
D. Income Changes Resulting From Welfare Program Requirements 11-9
E. Timely Reporting of Changes in Income (and Assets) 11-10
F. Remaining Member of Resident Family – Retention of Unit 11-11
G. Changes in Unit Size 11-11
H. Continuance of Assistance for "Mixed" Families 11-12

Chapter 12-LEASE TERMINATIONS

A. Termination by Resident 12-1
B. Termination by PHA 12-1
C. Notification Requirements 12-2
D. Record Keeping 12-4
E. Terminations Due to Ineligible Immigration Status 12-4

Chapter 13-COMPLAINTS, GRIEVANCES AND APPEALS

A. Complaints 13-1
B. Informal Review Procedures for Applicants 13-2
C. Informal Hearing Procedures for Residents 13-3
D. Formal Hearing Procedures 13-4
E. Hearing And Appeal Provisions for "Restrictions On Assistance To Non-Citizens 13-9

Chapter 14-FAMILY DEBTS TO THE PHA

A. Payment Agreement for Families 14-1
B. Debts Due to Misrepresentation of Information 14-2
C. Writing Off Debts 14-3

Chapter 15-COMMUNITY SERVICE AND SELF-SUFFICIENCY

A. Program Requirements 15-1
B. PHA Responsibilities 15-2
C. Exempt Adults 15-3
D. Noncompliance of Family Members 15-3

Chapter 16-GLOSSARY

I. Terms Used in Determining Rent 16-1
II. Glossary of Housing Terms 16-7
III. Glossary of Terms Used in the Non-citizens Rule 16-19

Chapter 17-PROGRAM INTEGRITY ADDENDUM

A. Criteria for Investigation of Suspected Abuse and Fraud 17-1
B. Steps the PHA will Take to Prevent Program Abuse and Fraud 17-2
C. Steps the PHA will Take to Detect Program Abuse and Fraud 17-2
D. The PHA's Handling of Allegations of Possible Abuse and Fraud 17-3
E. How the PHA will Investigate Allegations of Abuse and Fraud 17-4
F. Placement of Documents, Evidence, and Statements Obtained by the PHA..... 17-5
G. Conclusion of the PHA's Investigative Review 17-5
H. Evaluation of the Findings..... 17-5
I. Action Procedures for Violations Which Have Been Documented 17-5

CHAPTER 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The U.S. Housing Act of 1937 created the low rent Public Housing program. Administration of the Public Housing program and the functions and responsibilities of the Public Housing Agency (PHA) of the City and County of Sacramento staff shall be in compliance with the PHA's *Personnel Policy*, any union agreements of the PHA, and this *Admissions and Continued Occupancy Policy (ACOP)*. The administration of this PHA's housing program will also meet the requirements of the Department of Housing and Urban Development (HUD). Such requirements include any Public Housing regulations, handbooks, and applicable notices. All applicable federal, state and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in Volume 24 CFR, Parts 1, 5, 8, 100 and 900-966 (Code of Federal Regulations).

A. PUBLIC HOUSING AGENCY MISSION STATEMENT

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

Our mission is to assist applicants in obtaining housing. Our task is to determine what we can and must do to achieve that goal fairly and with the highest degree of integrity.

We will perform our mission with:

- Dignity - allowing each applicant and participant a sense of pride
- Fairness - remaining objective at all times, remembering that there are two sides to every story
- Respect - treating others as we would like to be treated, in a non-judgmental manner
- Sensitivity - demonstrating empathy (not sympathy) by ensuring that program information provided is not only complete and accurate, but also offers positive solutions that foster hope

B. LOCAL OBJECTIVES

- To provide improved living conditions for very low and low-income families while maintaining their rent payments at an affordable level
- To operate a socially and financially sound Public Housing Agency that

provides decent, safe, and sanitary housing within a drug free, suitable living environment for residents and their families, insuring that all units meet the Uniform Physical Condition Standards (UPCS)

- To avoid concentrations of economically and socially deprived families in any one, or all of the PHA's public housing developments
- Promote a safe environment by denying initial or continued assistance to families who have demonstrated a history of violent criminal or drug-related activity
- Promote a safe environment by denying initial or continued assistance to families who have shown a pattern or repeated acts of any criminal activity
- To attempt to house a resident body in each development, that is composed of families with a broad range of incomes and rent-paying abilities that are representative of the range of incomes of low-income families in the PHA's jurisdiction
- To provide opportunities for upward mobility for families who desire to achieve self-sufficiency
- To facilitate the judicious management of the PHA inventory and the efficient management of the PHA staff
- To ensure compliance with Title VI of the Civil Rights Act of 1964, and all other applicable federal laws and regulations, so that the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, disability or familial status

C. PURPOSE OF THE POLICY

The purpose of this ACOP is to establish policies for the PHA staff to follow in determining eligibility for admission and continued occupancy. These policies are governed by the requirements of HUD with latitude for local policies and procedures. If any changes conflict with this plan, HUD regulations will have precedence.

The PHA Board of Commissioners will approve the original policy and significant amendments. Required portions of this plan will be provided to HUD.

D. FAIR HOUSING POLICY

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

The PHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Conventional/Public Housing programs on the basis of race, color, sex, religion, creed, national or ethnic origin, ancestry, source of income, veteran's status, age, familial or marital status, handicap/ disability or sexual orientation. To further its commitment to full compliance with applicable Civil Rights laws, the PHA will

provide federal/state/local information to voucher holders and public housing residents regarding "discrimination" and any recourse available to them. The PHA provides and reviews information regarding Fair Housing rights and responsibilities during family briefing sessions. Such information will be made available during the family briefing session in each briefing packet.

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

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

The office of Application/Intake and Eligibility and the Conventional Housing programs are accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TTD/TDY telephone service provider.

E. REASONABLE ACCOMMODATION POLICY

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

An applicant and participant with a disability must first ask for a specific accommodation for their disability before the PHA will deviate from standard policies.
The PHA's policies and practices will be designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. The availability of request for accommodation will be made known by including notices on PHA forms and letters. This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those who do not have disabilities and is applicable to all situations described in this ACOP.

The PHA utilizes organizations that provide assistance for disabled persons when needed.

The PHA will fully comply with the obligations found in HUD Notice PIH 2002-01 (HA) [Accessibility Notice: Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988]. To request a reasonable accommodation due to a disability, an applicant or

participant must qualify under the following American with Disabilities Act (ADA) definition of disability:

- A physical or mental impairment that limits an individual's ability to participate in major life activities
- A record of such impairment
- Being regarded as having such impairment

Notwithstanding any other provision of law, no individual shall be considered a person with disabilities for purposes of eligibility for low-income housing solely on the basis of any current drug use or alcohol dependence. Individuals whose drug or alcohol addiction is a material factor to their disability are excluded from the definition. Individuals are considered disabled if disabling mental and physical limitations would persist if drug or alcohol abuse discontinued.

METHODS USED TO CERTIFY A PERSON WITH A DISABILITY

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

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

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

METHODS USED TO CERTIFY THE NEED FOR A REASONABLE ACCOMMODATION

Once the person's status as a qualified person with a disability is confirmed, the PHA will require that a professional third party, competent to make the assessment, provides written verification that the person needs the specific accommodation, due to their disability, and the change is required for them to have equal access to the housing program. (Refer to *Verification Procedures* Chapter 7).

The PHA will provide a written decision to the person requesting the accommodation within a reasonable time. If a person is denied the accommodation, or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the PHA's decision. (Refer to chapter 13, *Complaints, Grievances and Appeals).* Reasonable accommodation will be made for persons with a disability that requires an advocate, or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

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

All PHA communities and programs are open to all eligible persons without regard to race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, family status, source of income, veteran status, or the presence of qualified disability. A reasonable accommodation will be made in policies, practices, and services, when such accommodation may be necessary to afford a disabled person equal opportunity to fully access and utilize housing programs and related services, unless such accommodation will impose an undue financial or administrative burden on the (PHA), or will require a fundamental alteration in the nature of its program.

UNDUE HARDSHIP

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability, and they do not create an undue financial and/or administrative burden. The PHA will deny the request and/or present an alternate accommodation that will still meet the need of the person. An undue administrative burden is one that requires a fundamental alteration of the essential functions of the PHA (i.e., waiving a family obligation). An undue financial burden is one that when considering the available resources of the agency as a whole the requested accommodation would pose a severe financial hardship on the PHA. In determining whether an accommodation would create an undue hardship, the following guidelines will apply:

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

F. TRANSLATION OF DOCUMENTS AND PLANS FOR LANGUAGE ASSISTANCE FOR LIMITED ENGLISH PROFICIENCY (LEP) PERSONS

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

1. When the adult members of the family are LEP, staff will show them the *Language Identification Flashcard*, created by the Census Bureau, so that the family can identify what language they speak. The Housing Authority has identified staff who speak American Sign Language, Chinese and

Spanish to assist with these languages. For other languages, an interpreter will be called to assist the staff person in serving the family.

2. All LEP families will be identified on the computer, and in their file, as to their primary language so that appropriate resources can be identified in advance of the family's needing assistance with an appointment.

3. When the number of families speaking one non-English language exceeds 5% of the number of program participants, the Housing Authority will translate "important" documents into this language. "Important" is defined as those documents addressing safety, participant rights, participant obligations, or communication regarding the loss of housing (i.e., eviction or program termination).

4. When the number of families speaking one non-English language exceeds 5% of the number of program participants, the Housing Authority will actively recruit staff that speak, read and write this language.

5. The Housing Authority will post signs in public spaces, in languages known to be spoken by LEP families involved with the agency, telling them that help is available in the language they know.

6. The Housing Authority will provide training to current and new staff, on an annual basis, about the resources available for LEP families and how to utilize these resources for participating families.

G. FAMILY OUTREACH

The PHA will publicize and disseminate information to make known the availability of housing assistance, and related services, for low-income families on a regular basis. When the PHA's waiting list is open, the PHA will publicize the availability, and nature of housing assistance for low-income families, in newspapers of general circulation, minority media, and by other suitable means.

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

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

H. PRIVACY RIGHTS

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

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

Any and all information, which would lead one to determine the nature and/or severity of a person's disability, must be kept in a separate folder and marked "confidential". The personal information in this folder must not be released except on an "as needed" basis, in cases where an accommodation is under consideration. Designated staff must approve all requests for access and granting of accommodations based on this information.

The PHA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location, which is only accessible by authorized staff.

PHA staff will not discuss family information contained in files unless there is a business reason to do so. Staff will be required to disclose whether s/he has relatives living in Public Housing. Inappropriate discussion of family information, or improper disclosure of family information by staff, will result in disciplinary action.

The staff person, who is utilizing a file, is responsible for its security. Files will never be left unattended in common areas.

I. POSTING OF REQUIRED INFORMATION

The PHA will maintain a bulletin board in a conspicuous area of each Area Management Office lobby that will contain:

- Statement of policies and procedures governing ACOP or a notice of where the policy is available
- A notice of where the PHA 5-year Plan and PHA Annual Plans are available
- Information on application process
- Directory of the PHA's housing sites including names, address of offices and office hours at each facility
- Income limits for admission
- Current schedule of routine maintenance charges
- A copy of the lease
- The PHA's grievance procedures
- A Fair Housing poster
- An Equal Opportunity in Employment poster

- Current resident notices
- Required public notices

Site developments with Community Rooms will maintain a bulletin board, in a conspicuous place, that will contain:

- Resident selection policies [24 CFR 960.202 and 960.203]
- Information on application process
- Income limits for admission
- Current schedule of maintenance charges
- Copy of lease
- PHA's grievance procedures
- Fair Housing poster
- Equal Opportunity in Employment poster
- Current resident notices

J. PUBLIC HOUSING MANAGEMENT ASSESSMENT SYSTEM (PHAS) OBJECTIVES

The PHA operates its Public Housing program with efficiency and can demonstrate to HUD or independent auditors that the PHA is using its resources in a manner that reflects its commitment to quality and service. The PHA policies and practices are consistent with the new Public Housing Assessment System (PHAS) outlined in the 24 CFR Parts 901 and 902 final published regulations. The PHA is continuously assessing its program and consistently strives to make improvements.

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

CHAPTER 2

ELIGIBILITY FOR ADMISSION

INTRODUCTION

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

A. FACTORS AFFECTING ADMISSION

The family's initial eligibility for Conventional Public Housing issuance will be made in accordance with the eligibility factors, which will be verified before the family is admitted to the program.

The PHA accepts applications only from families whose head or spouse is at least eighteen (18) years of age or an emancipated minor under state law.

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the PHA.

HUD FACTORS

An applicant is qualified if he or she meets the following criteria:

- Is a "family" as defined in this chapter
- Heads a household where at least one member of the household is either a citizen or eligible non-citizen
- Has an Annual Income at the time of admission that does not exceed the low income limit for occupancy established by HUD and posted separately in the PHA offices
- Provides a Social Security number for all family members, age 6 or older, or will provide written certification that they do not have Social Security numbers

- Meets or exceeds the tenant Selection and Suitability Criteria set forth in this policy

- The PHA will permanently deny admission to public housing persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing in violation of any federal or state law

AGENCY FACTORS

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

- The family must furnish declaration of citizenship or eligible immigrant status and verification where required

- The PHA will permanently deny admission to public housing persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted or non-federally assisted housing in violation of any federal or state law

- The PHA will permanently deny admission to sex offenders who are subject to a lifetime registration requirement under a state sex offender registration program

- The family must pay or resolve any debt owed the PHA, or another PHA, as a result of prior participation in any federal housing program within thirty (30) days notification by the admissions staff.

- A family will be denied admission to the program if any member of the family fails to sign and submit consent forms for obtaining information required by the PHA, including Form HUD-9886

- A family will be denied admission to the program if any member of the family has been evicted from federally assisted housing for serious violation of the lease

- The family must not have violated any family obligation during a previous participation in a federally assisted housing program for five (5) years prior to final eligibility determination (The PHA may make an exception if the family member who violated the family obligation is not a current member of the household. The PHA may request the family to provide verifiable documentation)

- The family must not engage in criminal activity, illegal drugs, or alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents

- Admission of applicants with any current criminal charges will be delayed pending final court decision. After the final court decision, the applicant will be reviewed to determine if they meet all admission criteria.
- Applicants must meet other criteria for admissions

FAMILY COMPOSITION (HUD CFR 5.403)

DEFINITION OF FAMILY AT ADMISSION

The applicant must qualify as a family. A family may be a single person or a group of persons. The PHA defines a group of persons as two or more persons who intend to share residency, whose income and resources are available to meet the family's needs, and who will live together in PHA housing. Discrimination on the basis of familial status is prohibited, and a group of persons may not be denied solely on the basis that blood, marriage or operation of law does not relate them. For occupancy standards purposes, the applicant may claim a spousal relationship. (See Chapter 5 - Occupancy Guidelines)

HUD defines elderly, disabled and displaced families (see glossary in this policy for definitions). The PHA further defines a family as:

All of the federally defined families, including elderly family, near-elderly family, disabled family, displaced family, remaining member of a tenant family, and a single person and two or more persons related by blood, marriage, adoption or other operation of law, or two or more persons who are not so related but who will live together as domestic partners and share resources.

TEMPORARY ABSENCE OF CHILD

The temporary absence of a child from the home due to placement in foster care is defined as a period of time that is anticipated to be less than six months (6 mos.) from the time the family is determined eligible for admission to the program. The child who is temporarily absent from the home due to placement in foster care shall be considered part of the family in determining the family composition and unit size. All temporary absences will be verified through the appropriate agencies.

OCCUPANCY BY POLICE OFFICERS

In order to provide an increased sense of security for public housing residents the PHA may allow public housing units to be occupied by police officers. Police officers will not be required to be income eligible to qualify for admission to the PHA's public housing program.

HEAD OF HOUSEHOLD

The head of household is the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State or local law.

Emancipated minors who qualify under state law will be recognized as head of household if there is a court order recognizing them as an emancipated minor. Persons who are married are legally recognized as adults under State law.

SPOUSE OF HEAD

Spouse means the husband or wife of the head.

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

CO-HEAD

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

LIVE-IN AIDES

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

- Is determined by the PHA to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities
- Is not obligated for the support of the person(s)
- Would not be living in the unit except to provide care for the person(s)
- A live-in aide is not considered to be an assisted family member and has no rights or benefits under the program
- Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits
- Is approved by the PHA after normal screening criteria
- Live-in aides are not subject to Non-Citizen Rule requirements
- Live-in aides may not be considered as a remaining member of the resident family

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

Family members of a live-in aide may also reside in the unit, providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the family member(s) does not overcrowd the unit.

A live-in aide may only reside in the unit with the approval of the PHA and is subject to the Admission's screening criteria. Written verification certifying that a live-in aide is needed for the care of the family member who is elderly, near elderly or disabled will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker.

The PHA will approve a live-in aide if needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability.

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

The PHA has the right to disapprove a request for a live-in aide based on the "Other Eligibility Criteria" described in this chapter.

A live-in aid who is an applicant to the conventional housing program may not be approved for his/her own conventional housing unit while maintaining a bedroom in the conventional housing unit of another resident. Once an applicant who is residing as a live-in with an existing conventional housing resident is approved to receive his/her own low income or subsidized housing, they must immediately be removed from the residence of the existing conventional housing program resident.

SPLIT HOUSEHOLDS PRIOR TO BEING HOUSED

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim placement on the waiting list, the PHA will place both families on the appropriate size wait list based on the split family composition, the date they applied and any preferences for which they are eligible.

Duplicate application including applications from a segment of an applicant household, will not be accepted.

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

MULTIPLE FAMILIES IN THE SAME HOUSEHOLD

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

JOINT CUSTODY OF CHILDREN

Children who are subject to a joint custody agreement but, live with one parent at least fifty-one percent (51%) of the time will be considered members of that household. Fifty-one percent (51%) of the time is defined as one hundred eighty-three (183) days of the

year and do not have to run consecutively. There will be a self-certification required of families who claim joint custody or temporary guardianship.

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

INCOME LIMITATIONS

No family other than a low-income family is eligible for admissions to a PHA's public housing program. HUD establishes income limits annually (by family size) for the area in which the PHA is located. Those considered low-income have income that is eighty percent (80%) or below the median income for that area. Annual income is compared to the income limit and is applied only at admission as a test for eligibility. Once admitted, a family is no longer subject to initial income limit requirements in order to retain eligibility, or for unit transfers.

D. SOCIAL SECURITY NUMBERS

Families are required to provide verification of Social Security numbers for all family member's age one (1) year and older prior to admission, if the Social Security Administration has issued them a number. This requirement also applies to persons joining the family after admission to the program.

Applicants who disclose their Social Security number but do not provide verification of that number must apply to the Social Security Administration for a replacement card. No applicant will be approved for housing until the Socials Security number has been certified by the Social Security Administration and a Social Security card has been provided to the SHRA by the applicant for all household members who have been issued a social security number. Failure to furnish verification of social security numbers is grounds for denial of admission or termination of tenancy.

Applicants who have not been issued a Social Security number must sign a certification that they have never been issued a Social Security number but will disclose the number if they do receive one at a later date.

E. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS

In order to receive assistance, a family member must be an U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD. For the citizenship/eligible immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

MIXED FAMILIES

A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed families". Such applicant families will be given notice that their income-based assistance will be prorated and that they may request a hearing if they contest this determination. If such a family chooses flat rent, the flat rent will not be prorated if the flat rent is greater than the Public Housing Maximum Rent. If the Public Housing Maximum Rent is greater than the flat rent, and the family chooses flat rent, then the family's maximum subsidy will be calculated and prorated.

NON ELIGIBLE MEMBERS

Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

NON-CITIZEN STUDENTS

Non–citizen students as defined by HUD in the non-citizen regulations are not eligible for assistance even if they marry an eligible individual

VERIFICATION OF STATUS BEFORE ADMISSION

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

Assistance to a family may not be delayed, denied or terminated on the basis of the family's ineligible immigration status unless and until the family completes all the verification and appeals processes to which they are entitled under both Immigration and Naturalization Services (INS) and PHA procedures, except for a pending PHA hearing.

F. OTHER CRITERIA FOR ADMISSION

In developing its admission policies the aim of the PHA is to attain a resident body composed of families with a broad range of incomes whose habits and practices will not be a detriment to other residents, and/or the surrounding community. . Therefore, it is the policy of the PHA to deny admission to applicants whose present or past habits and practices may reasonably be expected to increase the likelihood of interference with other residents' right to peaceful enjoyment of the premises or may have an adverse effect on the health, safety and welfare of other residents.

All applicants will be screened in accordance with HUD's regulations and the PHA's Applicant Screening. The regulations require an assessment of the behavior of each applicant with respect to the essential obligations of tenancy as expressed in the Authority's lease as summarized below.

All applicants must demonstrate through an assessment of current and past behavior the ability:

- To pay rent and other charges as required by the lease in a timely manner
- To care for and avoid damaging the unit and common areas
- To use facilities, appliances and equipment in a reasonable way
- To create no health or safety hazards and to report maintenance needs in a timely manner
- Not to interfere with the rights and peaceful enjoyment of others and to avoid damaging the property of others
- Not to allow guests and visitors under the applicant's control to engage in any activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff
- Not to engage in criminal activity or alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents or staff and not to engage in drug-related or violent criminal activity on or off the PHA premises
- To comply with necessary and reasonable rules and program requirements of HUD and the PHA
- To comply with local health and safety codes

Previous outstanding debts to this PHA or any PHA resulting from a previous tenancy in the Public Housing or Housing Choice Voucher (HCV, AKA: Section 8) programs must be paid in full or be resolved prior to admission. No re-payment agreement will be accepted.

Head, spouse or co-head is responsible for the entire debt incurred as a previous PHA resident. Children of the head or spouse or co-head who had incurred a debt to the PHA will not be held responsible for the parent's previous debt.

The PHA will conduct a detailed interview of all applicants. The interview form will contain questions designed to evaluate the qualifications of applicants to meet the essential requirements of tenancy. Interview responses will be subject to third party verification.

Applicants must be able to demonstrate the ability and willingness to comply with the terms of the lease, either with or without assistance, and that they can demonstrate that they have or will have this ability and willingness at the time of admission. The availability of assistance is subject to verification by the PHA.

The PHA does not permit a parent or legal guardian to co-sign the lease on the applicant's behalf if the head of household is under eighteen (18) and, under State/local law, does not have the legal capacity to enter into a legally binding contract.

As a part of the final eligibility determination, the PHA will screen each applicant household to assess their suitability as renters. The PHA shall rely upon sources of information which may include, but not be limited to:

- PHA records
- Personal interviews with the applicant or resident
- Credit check and unlawful detainer report
- Interviews with previous landlords, employer, family, social workers, clinics, physicians, parole officers, or the police department
- Criminal and court records
- Home visits

Home visits may be conducted at the current residence of all applicants, as the PHA deems necessary, whenever there is a potential of instability, unfavorable landlord comments, or lack of prior landlord history. Applicants shall have at least two working days advance written notice of home visits.

This will be done in order to determine whether the individual attributes, prior conduct, and behavior of a particular applicant are likely to interfere with other residents in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare.

The PHA's examination of relevant information pertaining to past and current habits or practices will include, but is not limited to, an assessment of:

- The applicant's past performance in meeting financial obligations, especially rent and utilities
- Eviction or a record of disturbance of neighbors sufficient to warrant a police call, destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other residents or neighbors
- History or pattern of repeated acts of criminal activity on the part of any applicant family member involving criminal acts, including drug-related criminal activity;
- History or pattern of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger or interfering with the peaceful occupancy of neighbors
- History of initiating threats or behavior indicating intent to assault employees or other residents
- History or pattern of repeated acts of alcohol or substance abuse that would threaten the health, welfare, or right to peaceful enjoyment of the premises by other residents

The ability and willingness of an applicant to comply with the essential lease requirements will be verified and documented by the PHA. The information to be considered in the screening process shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application in present and prior housing.

The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:

- Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare
- Adversely affect the physical environment or financial stability of the project
- Violate the terms and conditions of the lease
- Require services from PHA staff that would alter the fundamental nature of the PHA's program

RENT PAYING HABITS

The PHA will examine any records from a prior tenancy, and will request written references from the applicant's current landlord and may request written references from former landlords.

Based upon these verifications, the PHA will determine if the applicant was chronically late with rent payments, was evicted at any time, for nonpayment of rent, or had other legal actions initiated against him/her for debts owed. Any of these circumstances may be grounds for an ineligibility determination, depending on any mitigating circumstances.

SCREENING APPLICANTS WHO CLAIM MITIGATING CIRCUMSTANCES

Mitigating circumstances are facts relating to the applicant's record of unsuitable rental history or behavior, which, when verified would indicate both: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, and the applicant's prospect for lease compliance is an acceptable one, justifying admission.

If unfavorable information is received about an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. In order to be factored into the PHA's screening assessment of the applicant, mitigating circumstances must be verifiable.

If the mitigating circumstances claimed by the applicant relate to a change in disability, medical condition or course of treatment, the PHA shall have the right to refer such information to persons who are qualified and knowledgeable to evaluate the evidence

and to verify the mitigating circumstance. The PHA shall also have the right to request further information reasonably needed to verify the mitigating circumstance. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify the need for a reasonable accommodation.

Examples of Mitigating Circumstances

- Evidence of successful rehabilitation
- Evidence of the applicant family's participation in and completion of social service or other appropriate counseling service approved by the PHA
- Evidence of successful and sustained modification of previous disqualifying behavior

Consideration of mitigating circumstances does not guarantee that the applicant will qualify for admission.

Consideration of Rehabilitation

When making determinations concerning applicant eligibility, PHA may consider whether the applicant household member in question can demonstrate that:

- They have successfully completed a supervised drug or alcohol rehabilitation program, are no longer engaging in illegal use of a controlled substance or abuse of alcohol, and have been “clean and sober” for a period of no less than twelve (12) months; or

The Sacramento Housing Authority may make inquiries to a drug abuse treatment facility that are solely related to whether the applicant household member in question is currently engaging in the illegal use of a controlled substance in cases where:

- The Authority receives information from the criminal record of the applicant that indicates evidence of a prior arrest or conviction for such offense; or
- The Authority receives information from the records of prior tenancy of the applicant that demonstrates that the applicant engaged in the destruction of property; engaged in violent activity against another person; or interfered with the right of peaceful enjoyment of the premises of another tenant.

For persons who previously have been evicted from public housing for drug-related or violent criminal activity, they must provide the PHA with verifiable evidence that the circumstances leading to the eviction no longer exist.

DOCUMENTING FINDINGS

An authorized representative of the PHA shall document any pertinent information received relative to the following:

- Criminal Activity includes the activities listed in the definition of criminal activity in this chapter.
- Pattern of Criminal Activity includes evidence of repeated criminal activities on the part of an individual, or a pattern of conduct, which might interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

- Pattern of Violent Behavior includes evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.
- Pattern of Drug Use includes a determination by the PHA that the applicant has exhibited repeated acts of illegal use of a controlled substance, which might interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Drug Related Criminal Activity includes a determination by the PHA that the applicant has been involved in the illegal manufacture, sale, distribution, use or possession of a controlled substance.
- Pattern of Alcohol Abuse includes a determination by the PHA that the applicant's repeated abuse of alcohol might interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.
- Initiating Threats or behaving in a manner, which indicates intent to assault employees or other residents.
- Abandonment of a Public Housing Unit without advising PHA officials so that staff may secure the unit and protect its property from vandalism.
- Non-Payment of Rightful Obligations including rent and/or utilities and other charges owed to the PHA or any other PHA.
- Falsifying an Application for Leasing including verbalizing or otherwise providing false information about family income and size, using an alias on the application for housing, or making any other material false statement or omission intended to mislead.
- Record of Disturbances of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior consists of patterns of behavior, which endanger the life, safety, or welfare of other persons by physical violence, gross negligence or irresponsibility. This also includes behavior which damages the equipment or premises in which the applicant resides, or which is seriously disturbing to neighbors or disrupts sound family and community life, indicating the applicant's inability to adapt to living in a multi-family setting. Furthermore, it includes judicial termination of tenancy in previous housing on the grounds of nuisance or objectionable conduct, or frequent loud parties, which have resulted in repeated disturbance of the neighbors.
- Unsanitary or Hazardous Housekeeping includes the creation of a fire hazard through acts such as hoarding rags, papers, or other materials. It

also includes severe damages to premises or equipment. When it is determined that the family is responsible for conditions that may affect neighbors by causing infestation and foul odors or depositing garbage in halls or other neglect of the premises, this may also be cause for denial. This category does not include families whose housekeeping is found to be superficially unclean or due to lack of orderliness, where such conditions do not create a problem for neighbors.

- Whether Applicant or Resident is Capable of Maintaining the Responsibilities of Tenancy in the case of applicants for admission, the person's present living arrangements and a statement obtained from applicant's physician, social worker, or other health professional will be among factors considered in making this determination. The availability of a live-in attendant will be considered in making this determination.

In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors, which might indicate a reasonable probability of favorable future conduct or financial prospects.

Applicants who are determined to be unqualified for admission will be promptly notified with a Notice of Denial of Admission stating the reason for the denial. The PHA shall provide applicants an opportunity for an informal hearing (see Chapter 13 - Complaints, Grievances, and Appeals).

G. DENIAL OF ADMISSION FOR DRUG RELATED AND/OR OTHER CRIMINAL ACTIVITY

PURPOSE

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intent of the PHA of the City and County of Sacramento to fully endorse and implement a policy that is designed to help create and maintain a safe crime and drug-free community and keep our program participants free from threats to their personal and family safety.

ADMINISTRATION

All screening procedures shall be administered fairly and in such a way as not to discriminate on the basis of race, color, nationality, religion, sex, familial status, disability or against other legally protected groups, and not to violate right to privacy.

To the maximum extent possible, the PHA will involve other community and governmental entities in the promotion and enforcement of this policy.

This policy will be posted on the bulletin boards of the PHA's area management offices and copies made readily available to applicants and residents upon request.

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

In an effort to prevent drug related and other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents, the PHA will endeavor to screen applicants thoroughly and fairly.

Obtaining summary criminal history information for the purpose of screening a prospective participant/applicant includes:

- Any information concerning any arrest, conviction or release from custody that occurred within at least the past seven (7) years by applicants. Any information regarding a pattern or repeated acts of criminal or drug related behavior that occurred within at least the past seven (7) years by applicants
- Any felony offense that involved any activity related to controlled substances or alcoholic beverages within at least the past seven (7) years [CA Penal Code § 1105.3]
- In evaluating evidence of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation

SECURITY AND CRIMINAL BACKGROUND CHECK

The PHA will verify any involvement in criminal activity on the part of any applicant family or household member who intends to reside in the PHA leased premises:

- Applicants will be advised at the time of intake and at the start of the screening interview that criminal behavior will jeopardize admission to a PHA community. Criminal activity that occurs while an applicant's family is on the PHA's waiting list will result in PHA's decision to reject an applicant family.
- Involvement in criminal activity by any member of an applicant family or household member that would adversely affect the health, safety or welfare of other tenants will be verified using information from the criminal records system of the City and County of Sacramento, the State of California, and the federal National Crime Information Center (the "NCIC"). The PHA will also examine criminal histories provided by other States or municipalities, court records, and other evidence that might document any criminal activity. In addition, the current and former landlords and housing providers will be asked to indicate problems during the applicant's tenancy. The Authority will review police reports for any criminal activity during the seven (7) year period prior to consideration for admission.
- The PHA will use a third party service to check criminal history.

- The PHA will use the criminal records system of the City and County of Sacramento, the State of California, the NCIC, and other states and/or municipalities to check all applicants for any evidence of:
    (1) Any and all information relative to any criminal convictions or activity, both felonies and misdemeanors within the past seven (7) years;
    (2) Any and all information relative to any criminal charges that are currently pending before the court of the State of California or any jurisdiction, including the federal courts;
    (3) Lifetime sex offender registration requirement for any household member. The PHA will check in California and any other states where any family member is known to have resided.

- The criminal records system shall be used to assess the applicant's past behavior especially the commission of violent crimes, drug related criminal activity of any kind, disturbance of neighbors, or destruction of property
- Without substantial evidence of mitigating circumstances (including serving jail time and rehabilitation) the PHA will not admit persons engaging in any criminal activity violating state and/or federal law
- Examples of criminal offenses that will be considered include, but are not limited to: felonies, disturbing the peace, drunk and disorderly conduct, threats or harassment, domestic violence, including actual or threatened violence toward members of an applicant household, assaults, destruction of property, vandalism, citations for health and sanitary code violation, possession of an unlawful weapon, criminal damage, arson, and home invasion
- In applying the above provisions, the PHA will consider the nature of the offense and any mandatory penalties in accordance with state and federal law
- Documentation of any of the following criminal activity by any applicant family or household member who intends to reside in the PHA leased premises may result in rejection of the applicant family. Documentation of such activity may be considered alone or in conjunction with other criminal activity such as:

    (1) Use, distribution, or possession of illegal drugs by an applicant family or household member who intends to reside in the PHA leased premises
    (2) Documentation from the criminal records system, or other verification of criminal activity, that shows a history of property-related crimes such as, but not limited to, burglary, robbery, larceny, weapon charges, and possession and receipt of stolen goods

(3) Documentation from the criminal records system, or other verification of criminal activity, that shows a history of crimes that endanger the health or safety of others such as assault, battery, public intoxication (drunk & disorderly), prostitution

(4) Documentation from the criminal records system, or other verification of criminal activity, that shows a history of crimes that endanger the health or safety of others such as homicide/murder, rape, child molestation, spousal or child abuse, or drug related crimes as referenced

STANDARD FOR VIOLATION

The PHA will deny admission to the program to applicants for five (5) years from the date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity. However, the PHA may admit the household if the PHA determines:

- That the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA and has met the rehabilitation standard set forth in this policy
- That the circumstances leading to eviction no longer exist

The PHA will deny admission to the program to applicants for five (5) years from the date of arrest, if convicted, or if incarcerated for one year or more, the date the applicant completed his/her sentence due to drug-related and other criminal activity that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents.

The PHA will deny admission to the program, applicants either currently on parole or probation or whose parole or probation release is within 12 months of the date of application.

The PHA will deny participation in the program to applicants where the PHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern or repeated acts of illegal use of controlled substances or a pattern or repeated acts of alcohol abuse.

The PHA will consider the illegal use of a controlled substance or alcohol abuse to be a pattern if there is more than one incident, during the previous 18 months, that may interfere or threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA.

In evaluating evidence or a pattern of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.
No family member may have engaged in or threatened abusive or violent behavior toward PHA personnel at any time.

No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last five (5) years.

EVIDENCE

The PHA must have credible evidence of the violation.

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants and evidence gathered by PHA inspectors and/or investigators. The PHA may pursue fact-finding efforts as needed to obtain credible evidence.

CONFIDENTIALITY OF CRIMINAL RECORDS

The PHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished or in accordance with HUD regulation.

If the family is determined eligible for initial or continued assistance, the PHA's copy of the criminal report shall be shredded as soon as the information is no longer needed for eligibility or continued assistance determination. If the family's assistance is denied or terminated, the criminal record information shall be shredded immediately upon completion of the review or hearing procedures and a final decision has been made.

The PHA will document in the family's file that the family was denied admission or the tenancy was terminated due to findings in the Criminal History Report.

DISCLOSURE OF CRIMINAL RECORDS TO FAMILY

Before the PHA takes any adverse action based on a criminal conviction record, upon request, the applicant will be provided with a copy of the criminal record and an opportunity to dispute the record.

RECOMMENDATION OF ADMISSION OR REJECTION

Recommendation for admission or rejection will be based on the aforementioned criteria in this section.

SUPERVISORY REVIEW AND HEARINGS

If information is revealed that would cause the PHA to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing according to the PHA's hearing procedures outlined in Chapter 13 – Complaints, Grievances and Appeals. The applicant must request the informal review no later than ten (10) days after receipt of the notification.

Difficult cases will be referred to the Eligibility Supervisor for further review and determination.

CHAPTER 3

APPLYING FOR ADMISSION

INTRODUCTION

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

APPLICATION PROCESS

The application process is as follows:

- The pre-application will be recorded by date and time received
- The “initial” or pre-application is used to determine the family’s placement on the waiting list
  - Applications submitted during a waitlist opening during which a lottery selection system has been used will be maintained and pulled from the waitlist through a computerized random selection process
- The "final determination of eligibility for admission" (referred as the full application) takes place when the family reaches the top of the waiting list. At this time the PHA ensures that verification of all HUD and PHA eligibility factors is current, in order to determine the family’s eligibility for an offer of a suitable unit

A. OVERVIEW OF PRE-APPLICATION PROCESS

PRE-APPLICATION

Families who wish to apply for any of the PHA’s programs must complete a written preliminary application (pre-application) when the waiting list is open. The information is to be filled out by the applicant whenever possible. To provide specific accommodation

for persons with disabilities, a staff person may complete the information over the telephone. It may also be mailed to the applicant and, if requested, it will be mailed in an accessible format.

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

The purpose of the pre-application is to permit the PHA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list.
Applications will be accepted at central location(s) for all waiting lists.
Unless Admissions is collecting family income information for income limits verification purposes and/or reviewing the pre-application for criminal activity that would prevent program participation, the pre-application does not preliminarily determine eligibility.

NOTIFICATION OF PRELIMINARY STATUS

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

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

If the family is determined to be ineligible based on the information provided in the pre-application, the PHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation. (See Chapter 13 - Complaints, Grievances and Appeals)

APPLICANT STATUS WHILE ON WAITING LIST

Applicants are required to inform the PHA in writing, within thirty (30) days of changes in family composition, income, and address, as well as any changes in their preference status. Applicants are also required to respond to requests from the PHA to update information on their application, or to determine their continued interest in assistance.

Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. (See Chapter 13 - Complaints, Grievances and Appeals)

STATUS OF THE WAITING LISTS

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

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover and new allocations over the next eighteen (18) to twenty-four (24) months.

The PHA will update the waiting list periodically by removing the names of those families who are no longer interested or cannot be reached by mail. At the time of initial intake, the PHA will advise families of their responsibility to notify the PHA when changes in family composition, income, mailing address, telephone numbers and/or when other changes occur.

When the PHA opens the waiting list, the PHA will advertise through public notice in the following newspapers, minority publications and media entities:

- Sacramento Bee, Sacramento Observer, El Hispano, Hmong Women's Heritage, Thang Mo Magazine, and Vesti, LLC
- City and County offices
- Sacramento City Council and Sacramento County Board of Supervisors

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

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

The PHA may stop the acceptance of applications if there are enough applicants to fill anticipated openings for the next eighteen (18) to twenty-four (24) months. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws. The PHA will give at least thirty (30) calendar days notice prior to closing the list. When the period for accepting applications is over, the PHA will add the new applicants to the list by separating the new applicants into groups based on bedroom size, unit type, preferences and date and time of application.

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

B. COMPLETION OF A FULL APPLICATION

When the PHA is ready to select pre-applicants from the waiting list, the PHA will send the applicant a letter notifying him/her of an orientation. Applicants will be required to

complete a full application in his or her own handwriting, unless assistance is needed, or a person with a disability makes a request for accommodation. Applicants will then be interviewed by PHA staff to review the information on the full application form. Verification of disability as it relates to 504, Fair Housing, or ADA reasonable accommodation will be requested at this time. The full application will also include questions asking all applicants whether reasonable accommodations are necessary.

The qualification for preference(s) must exist at the time the preference is verified regardless of the length of time that an applicant has been on the waiting list because the preference is based on current status.

The full application will be mailed as an accommodation to a person with a disability or at the discretion of the PHA.

REQUIREMENT TO ATTEND INTERVIEW

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

All adult members are required to attend the interview and sign the housing application. Exceptions may be made for adult students attending school out of state or for members for whom attendance would be a hardship, on a case by case basis.

If the head of household cannot attend the interview due to a disability, a reasonable accommodation may be made. The head of household, however, will be required to certify by signature that all the information is complete and accurate. The head of household will be responsible for the application.

If the applicant fails to appear for a pre-scheduled appointment, the PHA will automatically schedule a second appointment. If the applicant misses the second appointment without prior approval, the application is removed from the waiting list.

If the application is removed from the waiting list due to the applicant's failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See Chapter 13 - Complaints, Grievances and Appeals)

Applicants that do not return after the interview with the application booklet and/or supporting documentation within ten (10) days of their interview will have their case closed for lack of verification. A notice will be mailed to the applicant. It is the applicant's responsibility to contact the PHA within ten (10) days to request: (1) to be placed back on the wait list, or (2) ask for another opportunity to bring back the

application booklet with supporting documentation (another ten (10) days may be granted with a valid reason or emergency).

Being incarcerated is not a valid emergency. Notices to applicant will include applicant's hearing rights.

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

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

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

If the PHA determines at or after the interview that additional information or document(s) are needed, the PHA will request the document(s) or information in writing. The family will be given ten (10) days to supply the information.

If the information is not supplied in this time period or if an extension is not requested and granted, the PHA will provide the family a notification of denial of assistance. (See "Complaints and Appeals" chapter 13)

VERIFICATION

Information provided by the applicant will be verified, using the verification procedures in the "Verification Procedures" chapter. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verified information that is less than 120 days old at the time of admission is considered current and need not be re-verified.

C. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the PHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the PHA and the resident suitability determination. (see Chapter 2 – Eligibility for Admission)

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affect an applicant's eligibility, it is necessary to make final eligibility determination.

The household is not actually eligible for a unit offer until this final determination has been made, even though they may have been preliminarily determined eligible and may have been listed on the waiting list and moved to the wait pool.

The PHA will make every effort to accurately estimate an approximate date of occupancy. However, the date given by the PHA does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by the PHA, such as turnover rates, and market demands as they affect bedroom sizes and project location.

CHAPTER 4

RESIDENT SELECTION AND ASSIGNMENT PLAN

INTRODUCTION

This chapter describes the PHA's policies with regard to local preferences, management of waiting lists, and the number of unit offers that will be made to qualified applicants selected from the wait pool. PHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the PHA's policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list and/or on the waiting list for the developments in which the applicant wishes to reside. Applicants will be listed in sequence based upon the waiting list guidelines stated below. In filling an actual or expected vacancy, the PHA will offer the dwelling unit to an applicant in the appropriate sequence.

A. MANAGEMENT OF THE WAITING LIST

The PHA will administer its waiting list as required by 24 CFR Part 5, Part 945 and 960 Subparts A and B. The waiting list will be maintained in accordance with the following guidelines:

- The application will be a permanent file
- The list will state the family name and family type
- The list will state the racial and ethnic designations of the head of household
- All applicants in the wait pool will be maintained in order of preference and in order of date and time of application receipt
- Applications equal in preference will be maintained by date and time sequence
- Applicants will be listed by size and type of unit required

All applicants must meet applicable income eligibility requirements as established by HUD.

- Applications submitted during a waitlist opening during which a lottery selection system has been used will be maintained and pulled from the waitlist through a computerized random selection process

By maintaining an accurate waiting list, the PHA will be able to perform the activities, which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the PHA's turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "wait pool". Selection from the "wait pool" will be in order of the date and time of the completion of verification.

TYPES OF WAITING LISTS

This PHA may maintain the following types of wait lists:

- Mixed Population
- General Occupancy
- Designated Elderly
- Designated Disabled
- Site-based
- Accessible Units

APPLYING TO MULTIPLE WAIT LISTS

A family may put their name on multiple wait lists but when the family is admitted to a public housing site, they will be taken off all other public housing waiting lists. If they are on the Housing Choice Voucher waiting list they may remain on that list while being housed in public housing.

Applicants accepting a rental unit in public housing may significantly delay their selection from the Housing Choice Voucher (HCV) waiting list. This is due to the fifty percent (50%) rent burden preference established for the HCV program.

B. SITE-BASED WAITING LISTS

If the PHA establishes site-based waiting lists, both current and new applicants may choose which site-based waiting list they wish to be placed on, regardless of their application site.

When there are insufficient applicants on a site-based waiting list, the PHA will contact applicants on all other waiting lists who may qualify for the type of housing with insufficient applicants. "Insufficient applicants" on a list will be defined as not enough families to fill vacancies for at least three (3) months, based on anticipated turnover at the development.

Every reasonable action will be taken by the PHA to assure that applicants can make informed choices regarding the development(s) in which they wish to reside. The PHA will disclose information to applicants regarding the location of available sites, occupancy number and size of accessible units. The PHA will also include basic information relative to amenities such as day care, security, transportation, training

programs, and an estimate of the period of time that the applicant will likely have to wait to be admitted to units of different types.

MONITORING SITE-BASED WAITING LISTS

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered. In order to monitor the site-based waiting lists the PHA will:

- Self-monitor its system of site-based waiting lists at least biannually to assure that racial steering does not occur. If the PHA's biannual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the PHA will take corrective action
- At least every three years, use independent testers to ensure that applicants are not treated differently based upon race or ethnicity, and that no patterns of discrimination exist
- Assess changes in racial, ethnic or disability-related resident composition at each PHA site that has occurred during the implementation of the site-based waiting lists. Each year the PHA will make this assessment based on PIH Information Center (PIC) data that has been confirmed to be complete and accurate by an independent public auditor.

C. ASSIGNMENT OF UNITS DESIGNATED FOR THE ELDERLY, DISABLED, OR MIXED USE

In accordance with the 1992 Housing Act, families with a head, spouse, co-head or sole member who qualifies as a person who is elderly, disabled, or near elderly as defined in 24 CFR 945.105 will be offered admission to buildings/units that are designated as elderly only, disabled only or mixed use for the elderly and disabled subject to a HUD-approved allocation plan.

ELDERLY, NEAR ELDERLY, AND DISABLED

Elderly families are defined as families whose head, spouse, co-head, or sole member is at least sixty-two (62) years of age. Disabled families are defined as families whose head or spouse or sole member is a person with disabilities. A near elderly family is a family whose head, spouse, co-head or sole member is at least fifty (50) years of age but below sixty-two (62) years of age.

DESIGNATED HOUSING PLAN

Until such time as HUD approves a development as designated elderly /near elderly only, the PHA will continue to fill vacancies with the next eligible applicant on the waiting list who accepts a unit offer, regardless of age.

After Resident Advisory Board and PHA Board of Commissioners review and HUD approval of a designated plan for elderly/near elderly only housing, the PHA will fill vacancies at designated developments with elderly and near elderly families only. Younger disabled families who currently reside in developments approved for elderly/near elderly designed housing will be relocated on a voluntary basis only.

All PHA local preferences apply to elderly, disabled and near-elderly applicants.

MIXED POPULATION

A mixed population development is reserved for elderly, near elderly, and disabled families. Elderly, near elderly, and disabled families are given equal preference in admission. The PHA does not establish a limit on the number of elderly, near elderly, or disabled families accepted in a mixed population development.

D. GENERAL OCCUPANCY UNITS

General occupancy units are designed to house all populations of eligible families. In accordance with the PHA's occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the PHA's general occupancy units.

E. ACCESSIBLE UNITS

The PHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units. No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the PHA will offer such units:

- First, to a current occupant of another unit of the same development, or other public housing developments under the PHA's control who has a disability that requires the special features of the vacant unit
- Second, to an eligible qualified applicant in the waiting pool having a disability that requires the special features of the vacant unit

When offering an accessible/adaptable unit to a non-disabled applicant, the PHA will require the applicant to agree to move to an available non-accessible unit within thirty (30) days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. (see *Chapter 9 - Leasing*)

F. OFFER OF PLACEMENT ON THE HOUSING CHOICE VOUCHER (HCV) WAITING LIST

If the PHA maintains separate lists for its Public Housing and Housing Choice Voucher programs, the PHA will offer to place the family on both lists. If the public housing waiting list is open at the time an applicant applies for the HCV Program, the PHA will offer to place the family on the public housing waiting list. However, the PHA may merge its waiting lists for all programs.

G. REMOVAL FROM WAITING LIST AND PURGING

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

If an applicant fails to respond within thirty (30) days the applicant will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice and the envelope and letter will be maintained in the file.
If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply with the prescribed period.

The PHA allows a grace period of one hundred and ninety (90) days after completion of the purge. Applicants who respond during this grace period will be reinstated.

The PHA may also remove a name from the waiting list for the following reasons:

- Applicant requests it
- Applicant was clearly advised of a requirement to notify the PHA of his/her continued interest by a particular time and failed to do so
- PHA has made reasonable efforts to contact the applicant to determine if there is continued interest, but has been unsuccessful
- PHA has notified the applicant of its intention to remove the applicant's name because of ineligibility

H. WAITING LIST PREFERENCES

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. Every applicant must meet the PHA's selection criteria as defined in this policy.

The PHA's preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further deconcentration of poverty in public housing. When such

matching is required or permitted by current law, the PHA will give preference to qualified families.

The PHA uses the following local preferences:

> **(2 Points) Involuntary Displacement:** Families displaced by government action through no fault of their own or families displaced by a natural disaster recognized by the Federal government (i.e. flood, earthquake, fire) and documented by the local Building Department or Board of Health will be granted this preference. Displaced by government action also includes families wishing to reside in Public Housing, who were displaced from the Housing Choice Voucher program due to lack of funding.

All other applicants that do not qualify for any preference will be placed on the waiting list by the date and time of application. Families with equal preference points will be contacted to complete the full application in order of date and time of placement on the waiting list. Families who reach the top of the waiting list will be contacted by the PHA to complete a full application at which time their preference will be verified.

An applicant may not be granted any preference if any member of the family has been evicted from any federally assisted housing during the past five (5) years because of drug-related or violent criminal activity. The PHA may grant an exception to such a family if the responsible member has successfully completed a rehabilitation program.

I. PREFERENCE DENIAL

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the local preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the waiting list with notification to the family.

CHANGE IN CIRCUMSTANCES

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

J. SPECIAL ADMISSIONS

When HUD awards a PHA program funding that is targeted for families, the PHA will admit these families under a special admission procedure. Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains separate records of these admissions.

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

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

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

K. MATCHING UNIT AND FAMILY CHARACTERISTICS

Factors such as unit size, accessible features, de-concentration or income mixing, income targeting, or units in housing designated for the elderly limit the admission of families to those characteristics that “match” the characteristics and features of the available vacant unit.

By matching unit and family characteristics, it is possible that some families in the waiting pool may receive an offer of housing ahead of families with an earlier date and time of application.
Any admission mandated by court order related to desegregation or Fair Housing and Equal Opportunity will take precedence over the preference system. Other admissions required by court order will also take precedence over the preference system.

L. INCOME TARGETING

The PHA will monitor its admissions to ensure that at least forty percent (40%) of families admitted to public housing in each fiscal year shall have incomes that do not exceed thirty percent (30%) of area median income of the PHA’s jurisdiction.

Hereafter families whose incomes do not exceed thirty percent (30%) of area median income will be referred to as "extremely low-income families".

The PHA shall have the discretion, at least annually, to exercise the “fungibility” provision of the Quality Housing and Work Responsibility Act (QHWRA) by admitting less than forty percent (40%) of “extremely low-income families” to public housing in a fiscal year, to the extent that the PHA has provided more than seventy-five percent (75%) of newly available vouchers and certificates to “extremely low-income families.” This fungibility provision discretion by the PHA is also reflected in the PHA’s administrative plan.

The fungibility credits will be used to drop the annual requirement below forty percent (40%) of admissions to public housing for extremely low-income families by the lowest of the following amounts:

- The number of units equal to ten percent (10%) of the number of newly available vouchers and certificates in the fiscal year
- The number of public housing units that: (1) are in public housing developments located in census tracts having a poverty rate of thirty percent (30%) or more, and (2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

THE FUNGIBILITY FLOOR

Regardless of the above two amounts, in a fiscal year, at least thirty percent (30%) of the PHA’s admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the PHA’s overall requirement for housing extremely low-income families to drop to thirty percent (30%) of its newly available units. Fungibility shall only be utilized if the PHA is anticipated to fall short of its forty percent (40%) goal for new admissions to public housing.

COMBINING LOW AND VERY LOW-INCOME FAMILY ADMISSIONS

Once the PHA has met the forty percent (40%) targeted income requirement for new admissions of extremely low-income families, the PHA will fill the remaining sixty percent (60%) of its new admission units with both low and very low-income families.

M. DE-CONCENTRATION OF POVERTY AND INCOME-MIXING

The PHA’s admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income residents into lower income projects and lower income residents into higher income projects.

Gross annual income is used for income limits at admission and for income-mixing purposes.
Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The PHA will gather data and analyze, at least annually, the resident characteristics of its public housing stock, including information regarding resident incomes, to assist in the PHA's de-concentration efforts.

The PHA will use the gathered resident income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the project for the purpose of assisting the PHA in its de-concentration goals.

DE-CONCENTRATION AND INCOME-MIXING GOALS

Admission policies related to the de-concentration efforts of the PHA do not impose specific quotas. Therefore, the PHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

DEVELOPMENT DESIGNATION METHODOLOGY

The PHA’s goal is to have eligible families having higher incomes occupy dwelling units in developments predominantly occupied by eligible families having lower incomes, and eligible families having lower incomes occupy dwelling units in developments predominantly occupied by eligible families having higher incomes.

Families having lower incomes include very low and extremely low-income families. Skipping of families for de-concentration purposes will be applied uniformly to all families.

INCOME LIMIT METHOD

The PHA will compare the gross annual income of all families in all multi-unit developments to the jurisdiction’s income limits.

The PHA will designate as higher income developments those developments where twenty percent (20%) or more of the families residing in the development have incomes at or above the low-income limit eighty percent (80%) of area median income.

The PHA will designate as lower income developments those developments where eighty percent (80%) or more of the families residing in the development have incomes at or below the extremely low and very low-income families.

PHA INCENTIVES FOR HIGHER AND LOWER INCOME FAMILIES

The PHA may offer certain incentives to higher and lower income families willing to move into higher or lower income projects. The PHA will not take any adverse action against any family declining an offer by the PHA to move into a higher or lower income project.

N. PLAN FOR UNIT OFFERS

The PHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is:

- **Two offers-** The applicant shall be offered a suitable unit in the location with oldest vacancy first. If the first offer is rejected, a final offer will be made at another location.
- **One offer-** One offer to a designated elderly unit will be permitted for an approved designated elderly applicant.

If more than one unit of the appropriate type and size is available, the first unit to be offered will be the oldest vacancy first.

The PHA will maintain a record of units offered and accepted or turned down.

O. CHANGES PRIOR TO UNIT OFFER

Changes that occur prior to the applicant's acceptance of a unit may affect the family's eligibility, number of bedrooms needed, and/or total tenant payment (TTP). Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. If the family is subsequently determined ineligible, the applicant will be notified in writing of changes in their eligibility or level of benefits and offered their right to an informal hearing when applicable (see ***Chapter 13 - Complaints, Grievances, and Appeals***).

P. APPLICANT STATUS AFTER FINAL UNIT OFFER

When an applicant rejects the final unit offer the PHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply when the list is open.

Q. TIME-LIMIT FOR ACCEPTANCE OF UNIT

Applicants must respond to unit offers within the number of days specified by the PHA. The PHA will make unit offers by phone or letter. The offer will be noted as a refusal

(turn down) if the applicant does not respond or accept a unit within the specified number of days.

APPLICANTS UNABLE TO TAKE OCCUPANCY

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause," the offer will not be noted as a refusal.

Examples of "good cause" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

- Inaccessibility to source of employment or children's daycare such that an adult household member must quit a job, drop out of an educational institution or a job-training program
- Presence of lead paint in the unit offered when the applicant has children under the age specified by current law
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member
- The unit is inappropriate for the applicant's disabilities

R. REFUSAL OF OFFER

If the unit offered is refused for other reasons, the PHA will follow the applicable policy as listed in Sections O and Q above.

CHAPTER 5

OCCUPANCY GUIDELINES

INTRODUCTION

The occupancy guidelines are established by the PHA to ensure that units are occupied by families of the appropriate size. This policy maintains the maximum usefulness of the units, while preserving them from excessive wear and tear or under utilization. This chapter explains the occupancy guidelines used to determine minimum and maximum unit sizes for various sized families when they are selected from the waiting list, or when a family's size changes, or when a family requests an exception to the occupancy guidelines.

A. DETERMINING UNIT SIZE

The PHA does not determine who shares a bedroom/sleeping room, but there must be at least one (1) person per bedroom. The PHA's occupancy guideline standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines.

For occupancy standards, an adult is a person eighteen (18) years or older, or an emancipated minor. All guidelines in this section relate to the number of bedrooms in the unit.

Dwelling units will be assigned so that generally the PHA will assign one (1) bedroom to two (2) people within the following guidelines:

- Minors of the same sex and same generation (less than 10 years apart in age) shall be allocated one bedroom
- Minors of the opposite sex, under 4 (four) years of age shall be allocated one bedroom
- Adults (18 and over) who have a spousal relationship shall be allocated one bedroom
- Exception infants under one year of age may be allowed to share a room with two other members of the household

The PHA assigns an additional bedroom under the following conditions:

- Minors of the same sex but who are more than 10 years apart in age shall be allocated separate bedrooms

- Minors of the opposite sex, over the age of 4 (four) shall be allocated separate bedrooms
- Adults (18 and over) who are not in a spousal relationship shall be allocated separate bedrooms
- Live-in attendants will generally be provided a separate bedroom, unless requested otherwise by the family. No additional bedrooms are provided for the attendant's family.

Other consideration in determining the bedroom size:

- Foster children may be considered when determining unit size at move in only
- Space may be provided for a child who is away at school but who lives with the family during school recesses for as long as the child is considered a dependent
- Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military unless the absence is considered temporary such as short-term reserve duty
- Single person families shall be allocated zero (0) or one (1) bedroom
- The living room will not be counted for use as a bedroom

GUIDELINES FOR DETERMINING BEDROOM SIZE

Bedroom Size	Persons in Household: (Minimum #)	Persons in Household: (Maximum #)
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8
5 Bedrooms	6	10
6 Bedrooms	8	12

B. EXCEPTIONS TO OCCUPANCY STANDARDS

The unit considerations in this chapter should be used as a guide to determine whether and when the bedroom size should be changed. If an unusual situation occurs, which is not currently covered in this policy, the PHA will make a determination after review of the situation, the individual circumstances, and the verification provided (see Chapter 11 - Recertifications).

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

- In all cases, where the family requests an exception to the general occupancy standards, the PHA will evaluate the relationship and ages of all family members and the overall size of the unit

The family may request to be placed on a larger or smaller bedroom size waiting list than indicated by the PHA's occupancy guidelines. The request must explain the need or justification for a larger or smaller bedroom size, and must be verified by the PHA before the family is placed on the larger or smaller bedroom size list.

The PHA will consider these requests:

Person(s) with Disability

The PHA will grant an exception upon request as a reasonable accommodation for persons with disabilities if the need is appropriately verified and meets requirements in Chapter1(E) - Reasonable Accommodations Policy.

Other Circumstances

Circumstances may dictate a larger size than the occupancy standards permit when persons cannot share a bedroom because of a need for medical equipment due to its size and/or function.

A doctor must verify requests for a larger number of bedrooms due to medical equipment. A licensed physician or an attending health care professional, on a Verification of Need for Reasonable Accommodation form, must verify all requests based upon health related needs.

The PHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

The PHA must approve all members of the family residing in the unit. The family must obtain written approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the PHA within thirty (30) days.

To avoid vacancies, the PHA may provide a family with a larger unit than the occupancy standards permit. The family must agree to move to a suitable, smaller unit when

another family qualifies for the larger unit and there is a suitable smaller unit available. This requirement is a provision of the lease.

C. ACCESSIBLE UNITS

The PHA has units designed for persons with mobility, sight and hearing impairments. These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other modifications.

Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

Accessible units will be offered and accepted by non-mobility impaired applicants only with the understanding that such applicants must accept a transfer to a non-accessible unit at a later date (at applicants expense with a new security deposit) if a person with a mobility impairment requiring the unit applies for housing and is determined eligible.

CHAPTER 6

DETERMINATION OF TOTAL TENANT PAYMENT

INTRODUCTION

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

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

A. MINIMUM RENT

The minimum rent for this PHA is fifty dollars ($50).

The Total Tenant Payment is the greater of:

- Thirty percent (30%) of the adjusted monthly income
- Ten percent (10%) of the gross monthly income
- The minimum rent of $50 as established by the PHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

The total tenant payment does not include charges for excess utility consumption or other charges.

The PHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The PHA will review all relevant circumstances brought to the PHA’s attention regarding financial hardship as it applies to minimum rent. The PHA’s procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA are stated in the following section.

PHA Procedures for Notification to Families of Hardship Exemptions

The PHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exemption under the law. The housing technician will document in the family's file that the family has been notified of their right to request a minimum rent hardship exemption.

The PHA notification will advise the family that hardship exemption determination is subject to the PHA's grievance procedures (see Chapter 13- Complaints, Grievances and Appeals).

The PHA will review all resident requests for exceptions from the minimum rent due to financial hardships. All requests for minimum rent exemption are required to be in writing. Requests for minimum rent exemption must state the family circumstances that qualify the family for an exception.

EXCEPTIONS TO MINIMUM RENT

When a family requests a minimum rent hardship exemption, application of the minimum rent will be suspended beginning the month following the family's hardship request. During the minimum rent suspension period, the PHA will not charge the family a minimum rent, or if applicable, discontinue charging the family a minimum rent. The PHA will not evict the family for nonpayment of minimum rent during the ninety (90) day period beginning the month following the family's request for a hardship exemption.

The minimum rent will be suspended until the PHA determines whether the hardship is:

- Covered by the exception criteria and;
- Temporary or long term.

If the PHA determines that the minimum rent is not covered by statute, the PHA will impose a minimum rent including payment for minimum rent from the time of suspension.

The PHA will use its standard verification procedures to verify circumstances, which have resulted in financial hardship, such as loss of employment, death in the family, etc.

HUD CRITERIA FOR HARDSHIP EXEMPTION

In order for a family to qualify for a hardship exemption the family's circumstances must fall into one of the following criteria:

- The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence

- The family would be evicted as a result of the imposition of the minimum rent requirement

- The income of the family has decreased because of changed circumstances, including:

    - Loss of Employment: Defined as being laid off or terminated through no fault of the employee. Loss of employment does not, for the purposes of exemption to minimum rent, include voluntarily quitting employment
    - Death in the family leading to loss of income
    - Other circumstances as determined by the PHA or HUD

NO QUALIFYING HARDSHIP

If the PHA determines that there is no hardship covered by the statute, a minimum rent will be imposed retroactively to the time of suspension. The family must pay any back rent and will be offered a reasonable repayment agreement.

TEMPORARY HARDSHIP

If the PHA determines that the hardship is temporary, a minimum rent may not be imposed for a period of ninety (90) days beginning the month following the date of the family's request for a hardship exemption. At the end of the ninety (90) day suspension period, the PHA will reinstate the minimum rent retroactively to the beginning of the suspension. The family will be offered a reasonable repayment agreement for any amount to the back rent owed by the family. The PHA defines temporary as ninety (90) days.

The minimum monthly amount for a repayment agreement incurred for minimum rent arrears is twenty-five dollars ($25).

The PHA will not enter into a repayment agreement that will take more than twelve (12) months to pay off. If the family goes into default on the repayment agreement for back rent incurred during a minimum rent period, the PHA will reevaluate the family's ability to pay the increased rent amount and:

- Determine whether the family has the means to meet the obligation and, if so determined, initiate eviction proceedings for nonpayment of rent; or
- Determine that the repayment agreement is a financial hardship to the family and if so restructure the existing repayment agreement

The PHA's policies regarding repayment agreements are further discussed in Chapter 14 - Family Debts to the PHA.

LONG TERM HARDSHIP

If the PHA determines a qualifying financial hardship is long term, the PHA will exempt the family from the minimum rent requirements so long as such hardship continues. Such exemption will apply from the beginning of the month following the family's request for a hardship exemption until the end of the qualifying financial hardship.

B. INCOME AND ALLOWANCES

INCOME

Income is defined as the types of money that are to be used as income for purposes of calculating the TTP and are defined by local and federal regulations. In accordance with this definition, income from all sources of each member of the household is documented (see Income Inclusions and Income Exclusions in Chapter 15 - Glossary).

ANNUAL INCOME

Annual income is defined as the gross amount of income, monetary or not, anticipated to be received by the family during the twelve (12) months after admission, certification or recertification. Gross income is the amount of income prior to any allowable expenses or deductions, and does not include income, which has been specifically excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. [24 CFR 960.201]

ADJUSTED INCOME

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

ALLOWABLE DEDUCTIONS

:HUD has five (5) allowable deductions from annual income:

1. Dependent allowance: Four hundred eighty dollars ($480) each for family members (other than the head, co-head or spouse), who are minors, and for family members who are eighteen (18) and older who are full-time students or who are disabled.

2. Elderly/Disabled allowance: Four hundred dollars ($400) per household for families whose head, co-head or spouse is sixty-two (62) or over or disabled.

3. Allowable medical expenses: All medical expenses for all family members are deducted for elderly and disabled families.

4. Childcare expenses: Childcare expenses for children under thirteen (13) are deducted when childcare is necessary to allow an adult member to work, attend school, or actively seek employment.

5. Allowable Disability Assistance Expenses

Disability expenses are deducted for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.

C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS – EARNED INCOME DISALLOWANCE (EID)

Effective October 1, 1999, EID replaced the 18-month earned income disregard for families going from training programs to work. For qualified families, EID excludes income earned by family members who start work or self-sufficiency programs or who have increases in employment income.

ELIGIBILITY

Family members who are ineligible non-citizens are also ineligible for EID. In mixed families only the eligible non-citizens or citizens are eligible for EID exclusions.

A family qualified for the earned income exclusion is a family that occupies a dwelling unit in a public housing development, is paying income-based rent and whose annual income increases due to one of the following reasons:

- Employment of a family member who was previously unemployed for one or more years prior to employment
- Increased earnings by a family member during participation in any economic self-sufficiency or other job-training program
- New employment or increased earnings of a family member during or within six (6) months after receiving assistance, benefits or services under any State program for Temporary Assistance to Needy Families (TANF) provided that the total amount over a six (6)-month period is at least five hundred ($500)

The HUD definition of “previously unemployed” includes a person who has earned in the twelve (12) months previous to employment no more than the equivalent earnings for working ten (10) hours per week for fifty (50) weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality.

The HUD definition of an economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

EXCLUDED INCOME

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

The amount of TANF received in the six (6) month period includes monthly income and such benefits and services as one-time payments, wage subsidies and transportation assistance.
The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment or increase in earned income to the amount of such income after the beginning of employment or increase in earned income.

INITIAL TWELVE (12) MONTH EXCLUSION

During the cumulative twelve (12) month period beginning on the date a member of a qualified family is first employed or the family member first experiences an increase in employment income, the PHA will exclude from annual income any increase in income of the family member, as a result of employment, over the prior income of that family member.

SECOND TWELVE (12) MONTH PHASE-IN EXCLUSION

During the second cumulative twelve (12) month period after the expiration of the initial cumulative twelve (12) month period referred to above, the PHA must exclude from annual income of a qualified family fifty percent (50%) of any increase in income of a family member as a result of employment over income of that family member prior to the beginning of such employment.

MAXIMUM FOUR-YEAR DISALLOWANCE

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

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

No earned income disallowance will be applied after the forty-eight (48) month period following the initial date the exclusion was applied regardless of whether the family has received the full exclusion for a total of twelve (12) months or the phase-in exclusion for the total of twelve (12) months.

APPLICABILITY TO CHILD CARE AND DISABILITY ASSISTANCE EXPENSE DEDUCTIONS

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

TRACKING THE EARNED INCOME EXCLUSION

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

Such documentation will include:

- The date the increase in earned income was reported by the family
- Name of the family member whose earned income increased
- Reason {new employment, participation in job training program, within six (6) months after receiving TANF} for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date(s) earned income ended and resumed during the initial cumulative twelve (12) month period of the exclusion (if any)
- Date the family member has received a total of twelve (12) months of the initial exclusion
- Date the twelve (12) month phase-in period began
- Date(s) earned income ended and resumed during the second cumulative twelve (12) month period (phase-in) of exclusion (if any)
- Date the family member has received a total of twelve (12) months of the phase-in exclusion
- Ending date of the maximum forty-eight (48) month, {four (4) year} disallowance period {forty-eight (48) months from the date of the initial earned income disallowance}

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

If an interim reexamination is not done for income increase, the initial twelve (12)-month exclusion will still begin on the date on which the increase in earned income begins.

INAPPLICABILITY TO ADMISSION

The earned income disallowance does not apply for purposes of program admission.

D. INDIVIDUAL SAVINGS ACCOUNTS

The PHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

E. TRAINING PROGRAMS FUNDED BY HUD

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a resident services training program, which is funded by HUD, is excluded.

F. WAGES FROM EMPLOYMENT WITH THE PHA OR RESIDENT ORGANIZATION

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

G. AVERAGING AND ANNUALIZING INCOME

When annual income cannot be anticipated for a full twelve (12) months, the PHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime, which the employer cannot anticipate for the next twelve (12) months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third party or check-stub verification is not available.

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so that the total tenant rent will not change from month to month.

The PHA may annualize income for a shorter period if it is not feasible to determine the value for a twelve (12) month period for example seasonal work or unemployment compensation.

The method used depends on the regularity, source and type of income.

H. MINIMUM INCOME

There is no minimum income requirement. Families who report zero (0) income are required to complete an interim reexamination every ninety (90) days. Families that report zero (0) income will also be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

The PHA will request credit checks for all adult members of families that report zero (0) income.
Where credit reports show credit accounts open and payments current, the PHA will take action to investigate the possibility of fraud or program abuse.

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

In some cases a person with zero (0) income will receive a utility allowance reimbursement to help assist with paying utilities for their unit.

I. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the PHA will calculate the income by using the following methodology and use the income figure, which would result in a lower payment by the family:

- Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member; or

- Include the income of the person permanently confined to the nursing home and give the family the medical deductions allowable on behalf of the person in the nursing home.

I. REGULAR CONTRIBUTIONS AND GIFTS

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received every three (3) months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than four hundred

dollars ($400) per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts (see Chapter 7 - Verification Procedures for further definition).

If the family's expenses exceed their known income, the PHA will make inquiry of the family about contributions and gifts.

K. ALIMONY AND CHILD SUPPORT

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

If the amount of child support or alimony received is less than the amount awarded by the court, the PHA must use the amount awarded by the court unless the family can verify that they are not receiving the full amount.

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

- The PHA receives verification from the agency responsible for enforcement or collection
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney

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

L. LUMP-SUM RECEIPTS

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

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

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

RETROACTIVE CALCULATION METHODOLOGY

The PHA will calculate the lump sum retroactively by going back to the date the lump-sum payment was received, or to the date of admission, whichever is closer as long as the date is not prior to program admission.

The PHA will determine the amount of income for each certification period, including the lump sum, and recalculate the resident rent for each certification period to determine the amount due the PHA. This retroactive amount is due and payable to the PHA.

At the PHA's option, the PHA may enter into a repayment agreement with the family, This retroactive amount is due and payable to PHA. The amount owed by the family is a collectible debt even if the family becomes unassisted.

ATTORNEY FEES

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

M. ASSETS AND ASSET INCOME

Income generated from some assets is used in the calculation of annual income for the purpose of determining the Total Tenant Payment. Net family assets are defined as the net cash value after deduction of reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment. The following are excluded from assets:

- Interests in Indian trust land
- Equity accounts in HUD homeownership programs
- The value of necessary items of personal property such as furniture and automobiles

Where the family has net family assets in excess of five thousand dollars ($5,000) the PHA will use the greater of:

- Actual income from all net family assets, or
- Imputed asset income which is the cash value of listed assets multiplied by HUD-determined local passbook interest rate

N. CONTRIBUTIONS TO RETIREMENT FUNDS

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

- While an individual is employed, assets counted are the amounts the family can withdraw without retiring or terminating employment
- After retirement or termination of employment, assets counted are any amount the employee elects to receive as a lump sum.

O. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The PHA must count assets disposed of for less than fair market value during the two (2) years preceding certification or reexamination. The PHA will count the difference between the market value and the actual payment received in calculating total assets.

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

The PHA's minimum threshold for counting assets disposed of for less than fair market value is five thousand dollars ($5,000). If the total value of assets disposed of within the two (2) year period is less than five thousand dollars ($5,000) they will not be considered an asset.

P. CHILDCARE EXPENSES

Unreimbursed childcare expenses for children under thirteen (13) shall be deducted from annual income if they enable a family member to actively seek employment, to be employed, or to further his or her education to comply with federal law.

For disabled family members who are children aged thirteen (13) and older, childcare expenses which enable a family member to be employed and are not paid to a member of the family nor reimbursed by an outside source shall be considered deductible disability assistance expenses.

In the case of a child attending K-12 private school, only before or after-hours care can be counted as childcare expenses.

Childcare expenses must be reasonable. Reasonable is determined by the average childcare rates in the PHA’s jurisdiction.

Allowance of deductions for childcare expenses is based on the following guidelines:

CHILDCARE TO WORK

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

CHILDCARE FOR SCHOOL

The number of hours claimed for childcare may not exceed the number of hours the family member is attending school {including one (1) hour travel time to and from school}.

AMOUNT OF EXPENSE

The PHA will survey the local care providers in the community and other various surveys to determine what is reasonable. The PHA will use the collected data as a guideline. If the hourly rate materially exceeds the guideline, the PHA may calculate the allowance using the guideline.

Q. DISABILITY ASSISTANCE EXPENSE

Families may deduct reasonable anticipated expenses for attendant care and auxiliary apparatus for family members with disabilities under the following circumstances:

- If they are necessary to enable a family member to be employed (this maybe the disabled member)
- Provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

This deduction may not exceed the earned income received by family members who are able to work because of such qualified expenses.

Auxiliary apparatus are items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a blind person to read and write, but only if these items are directly related to permitting the disabled person or other family member to work.

R. MEDICAL EXPENSES

Families who are determined to be either elderly or disabled may deduct un-reimbursed medical expenses in determining their total tenant payment. When a household is eligible for a medical expense deduction, the medical expenses of all family members may be counted.

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

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

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

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses with approval from a licensed medical professional.

S. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES

APPLICABILITY

Peroration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.
"Mixed" families that were participants on June 19, 1995, and that do not qualify for continued assistance must be offered prorated assistance. (See Chapter titled "Recertifications.") Applicant mixed families are entitled to prorated assistance. Families that become mixed after June 19, 1995, by addition of an ineligible member are entitled to prorated assistance.

PRORATED ASSISTANCE CALCULATION

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who actually are eligible. Calculations for each housing program are performed on the HUD 50058 form.

T. INCOME CHANGES RESULTING FRON WELFARE PROGRAM REQUIREMENTS

See Chapter 11 - Recertifications for reduction in welfare benefits.

U. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS

If the cost of utilities (excluding telephone) is not included in the resident rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption of utilities in an energy conservative household, not on a family's actual consumption.

When the utility allowance exceeds the family's Total Tenant Payment, the PHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the resident.

RESIDENT-PAID UTILITIES

The following requirement applies to residents living in developments with resident-paid utilities or applicants being admitted to such developments. Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

V. FAMILY CHOICE RENTS

AUTHORITY FOR FAMILY TO SELECT

The PHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income (income based); or 2) the flat rent. The PHA will provide families with sufficient information to make an informed choice. This information will include:

- How to switch the type of rent in circumstances of financial hardship
- The dollar amount of tenant rent the family will pay under each option

The PHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the PHA.

ALLOWABLE RENT STRUCTURES

FLAT RENTS

The PHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, that:

- Is based on the market rental value of the unit, as determined by the PHA
- Is designed so that the rent structures do not create a disincentive for continued residency in public housing by families who are attempting to become economically self-sufficient through employment or who have attained a level of self-sufficiency through their own efforts

The PHA shall review the income of families paying flat rent not less than once every three (3) years. Family composition will be reviewed annually for all families, including those paying flat rent. For a family paying flat rent there will be no utility deduction.

INCOME-BASED RENTS

The monthly Total Tenant Payment amount for a family shall be an amount, based on the total family income, as verified by the PHA that does not exceed the greatest of the following amounts:

- Thirty percent (30%) of the family's monthly-adjusted income
- Ten percent (10%) of the family's gross monthly income
- The PHA's Minimum TTP of fifty dollars ($50)

Switching Rent Determination Methods Because of Hardship Circumstances

In the case of a family that has elected to pay the PHA's flat rent, the PHA shall within thirty (30) days provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

- Situations in which the income of the family has decreased because of changed circumstances, loss or reduction of employment, death in the family, and reduction in or loss of income or other assistance
- An increase in expenses, due to a change of circumstance, in the family's expenses, such as increased medical costs, childcare, transportation, education, or similar items
- Such other situations as may be determined by the PHA

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

The rental policy developed by the PHA encourages and rewards employment and self-sufficiency.

Annual Reexamination: At time of recertification of the annual reexamination, the family will be sent a form from the PHA, on which the family will indicate whether they choose flat rent or income-based rent.

W. PHA'S FLAT RENT METHODOLOGY

The PHA has set a flat rent for each public housing unit, based on the reasonable market value of the unit. The PHA's methodology is described in the PHA Agency Plan.

The PHA's flat rents have been established using the following methodology:

- The PHA may contract with a real estate consultant as well as utilize Housing Choice Voucher comparability statistics to establish flat rents for each unit.
- The analysis will include relevant factors such as age, location, condition, amenities, and size of units as well as unassisted rents for similar units.

The PHA will review the flat rents as often as necessary, but at least annually, to ensure that flat rents continue to mirror the market rent values. Residents paying flat rents would not have their flat rents adjusted (up or down) until their annual reexamination or annual flat rent update.

The PHA Flat Rent schedule is available at development offices.

CHAPTER 7

VERIFICATION PROCEDURES

INTRODUCTION

The verification process during the time of application, interim reexamination and annual reexamination is a critical task in the administration of the HUD's assisted housing programs. This task requires PHAs to verify factors that affect the determination for an applicant's/ participant's adjusted income. The verification process also requires the applicant/participant to provide and disclose information that is true and complete whenever information is requested.

The PHA's verification requirements are designed to maintain program integrity and to utilize limited housing resources as correctly and efficiently as possible. This chapter explains the PHA's procedures and standards for verification of preferences, income, assets, completion of the citizenship or eligible immigration status, allowable deductions, family status, and changes in family composition. The policies in this chapter provide detailed verification procedures so that participants are thoroughly informed of the verification process. The PHA will obtain proper authorization from the family before requesting information from independent sources.

A. METHODS OF VERIFICATION AND TIME ALLOWED

The PHA will verify information through the five (5) methods of verification acceptable to HUD in the following order:

- Up-front income verification (UIV)
- Third-Party Written
- Third-Party Oral
- Review of Documents
- Certification/Self-Declaration

UP FRONT INCOME VERIFICATION

Up-front income verification is the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals.

Types of income that may be verified using up-front income verification (UIV)

- Gross Wages and Salaries (including overtime pay, commission, fees, tips, bonuses, and other compensation for personal services).
- Unemployment Compensation
- Welfare Benefits
- Social Security Benefits (including Federal and State benefits, Black Lung benefits, and dual benefits).

AVAILABLE UP-FRONT INCOME VERIFICATION TECHNIQUES

The PHA will obtain up-front income verification through the following methods when ever possible:

- Computer matching agreements with a federal, state, or local government agency, or a private agency

- Use of HUD's Tenant Assessment Subsystem (TASS)

- Submit direct requests for income verifications to a federal, state, or local government agency or a private agency

USE OF THIRD-PARTY VERIFICATIONS TO SUPPLEMENT UP-FRONT INCOME VERIFICATION

Up-front income verification replaces, to the maximum extent possible, the more time-consuming and less accurate third-party verification process of contacting individual employers identified by families or reviewing outdated income verification documents. However, third-party verification may continue to be necessary to complement up-front income verification, for example, when the resident disputes the data or when there is a substantial difference between resident-provided income and UIV. Up-front income verification should not be considered an automatic substitute for other third-party verification. Rather, up-front income verification may supplement other verification documentation such as original, current tenant-provided documents.

THRESHOLD FOR SUBSTANTIAL DIFFERENCES

The PHA has adopted HUD's established criteria for what constitutes a "substantial difference" in cases where UIV income data differs from tenant-provided and/or other verified income information. HUD defines a "substantial difference" as one that is $200 or more (per family member) per month.

UIV INCOME DATA THAT IS NOT SUBSTANTIALLY DIFFERENT THAN PARTICIPANT-PROVIDED INCOME INFORMATION

UIV may alleviate the need for third-party verification when there is not a substantial difference between UIV and tenant-reported income (either pay stubs or what tenant claims on the data collection sheet/reexam form).

In cases where UIV income data is NOT substantially different than tenant-reported income, PHAs will follow guidelines below:

- If UIV income data is more than current tenant-provided documentation, the PHA will use UIV income data to calculate anticipated annual income unless the tenant provides the PHA with documentation of a change in circumstances (i.e. change in employment, reduction in hours, etc.)
- Upon receipt of acceptable tenant-provided documentation of a change in circumstances, the PHA will use tenant-provided documents to calculate anticipated annual income.

UIV INCOME DATA THAT IS SUBSTANTIALLY DIFFERENT THAN PARTICIPANT-PROVIDED INCOME INFORMATION

In cases where UIV income data is substantially different than tenant-report income, PHAs shall follow the guidelines below:

- The PHA shall request written third party verification from the discrepant income source, in accordance with 24 CFR 5.236 (3) (I)

- The PHA shall review historical income data for patterns of employment, paid benefits, and/or receipt of other income, when the PHA can not readily anticipate income, such as in the sources of seasonal employment, unstable working hours, and suspected fraud
- The PHA must analyze all data (UIV data, third party verification and other documents/information provided by the family) and attempt to resolve the income discrepancy
- The PHA will use the most current verified income data (and historical income data if appropriate) to calculate annual income.

WHEN THIRD-PARTY VERIFICATIONS ARE REQUIRED

Third-party verification is required in the following instances:

- UIV is not available
- There is a “substantial difference” between tenant-provided documents and UIV verification
- The resident disputes the UIV data and provides supplemental supporting documentation

PHA RESPONSIBILITIES FOR UTILIZING UIV SYSTEMS AND DATA

While UIV is an excellent tool for highlighting potential income errors, the PHA has the responsibility:

- To compare UIV information with participant-provided information

- To resolve income discrepancies promptly to determine accurate tenant rents based on all available information
- Not to take any adverse actions against participants solely based on computer matching information. This means the PHA will not suspend, terminate, reduce or make a final denial of assistance to any tenant as a result of information produced by UIV until (a) the tenant has received a notice from the PHA detailing its findings and has been offered the opportunity to contest the findings and (b) either the notice period provided in applicable regulations of the program or 30 days whichever is later, has expired.

THIRD-PARTY WRITTEN VERIFICATION

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

The PHA will accept verifications received directly from the provider as third party documentation including but not limited to the following:

- Social Security disability or award statements
- Veterans Administration award statement
- IRS tax forms
- Written verification of TANF or General Assistance
- Unemployment Compensation statements
- Pay stubs or earning statements
- City or County Court documents
- Signed receipts or paid invoices for child care expenses
- Receipts from pharmacies for prescription drugs
- Child Support cancelled checks or award letters
- Receipts for medical expenses or insurance premiums

NUMBER OF ATTEMPTS TO OBTAIN WRITTEN THIRD PARTY VERIFICATION

The PHA will make one attempt to obtain written third-party verification. If a response is not received back from the source within ten working days after the written request for third-party is sent, the PHA will make an attempt at obtaining oral third-party verification.

THIRD-PARTY ORAL VERIFICATION

Oral third-party verifications will be used when written third-party verifications are delayed or not possible, or to verify documents provided by the family. When a third-party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. The information collected through oral third-

party verification shall be the same information collected on written third-party verification forms. If provided by telephone, the PHA must originate the call.

ACCEPTABLE PARTICIPANT-PROVIDED DOCUMENTS

In the event that third party written or oral verification is unavailable or after the PHA has made two documented unsuccessful attempts (one may be written and one oral), the PHA may review the original (authentic) documents provided by the participant. All original documents should be dated within the last 60 days of the interview. The PHA will make a photocopy of the original documents and maintain the copy in the participant files. The PHA shall document in the tenant files, the receipt, copy, and review of the original (authentic) documents. Below are some acceptable participant-provided documents:

- At least the last three months consecutive, original wage stubs
- Social Security Administration award letter
- Bank Statements
- Pension benefit statements
- TANF award letter
- Computer printouts from the employer
- Other documents noted in this chapter as acceptable verification

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

UNTIMELY RECEIPT OF THIRD-PARTY VERIFICATIONS

Despite the PHA's best efforts to obtain third-party verifications timely, sometimes third-party verifications are returned days or even weeks after the effective date of the new rent determination. In cases where the third-party verification is returned from sources within 30 day after the effective date of the reexamination, the PHA will only re-determine income when the difference between the third-party verification and the resident-provided verification is greater than $100 per month for entire family.

LATE THIRD-PARTY VERIFICATIONS THAT REQUIRE A NEW INTERIM REEXAMINATION

The following cases will require the resident to come in for an interim reexamination so that resident-provided information can be updated and compared to the third-party verifications:

- In cases where a family has several sources of income and more than one third-party verification arrives late and at different times and there is a cumulative discrepancy of more then $100 per month between the participant-provided income and the third-party verified income;

- In the event that third-party verification is returned more than 30 days after the effective date of the recertification and there is a discrepancy of more then $100 per month between the participant-provided income and the third-party income.

SELF-CERTIFICATION/SELF-DECLARATION

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

Self-certification means a notarized statement signed under penalty of perjury in the presence of a witness.

The PHA will allow up to one week for a family to provide a self-certification or self-declaration if other forms of verification are impossible to obtain.

B. RELEASE OF INFORMATION

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

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

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

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

C. ITEMS TO BE VERIFIED

The following items will need to be verified:

- All income (earned or unearned)
- Zero-income status of household
- Full-time student status for students who are eighteen (18) years or over
- Current assets including assets disposed of for less than fair market value in proceeding two (2) years
- Childcare expenses where it allows an adult family member to be employed or to further his/her education or seek employment
- Total medical expenses of all family members in households whose head or

spouse is elderly or disabled

- Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allow an adult family member to be employed
- Legal identity
- U.S. citizenship/eligible immigrant status
- Social Security Numbers for all family members six (6) years of age or older
- Preference status
- Familial/marital status when needed for head or spouse definition
- Disability for determination of preferences, allowances or deductions
- Completion of Community Service Requirement (unless exempt)

VERIFICATION OF REDUCTION IN BENEFITS FOR NONCOMPLIANCE

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance before denying the family's request for rent reduction.

D. VERIFICATION OF INCOME

This section explains the documentation the PHA will use to verify various types of income.

EMPLOYMENT INCOME

Verification forms request the employer to specify the:

- Dates of employment

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

Applicants and program residents will be required to sign an authorization for release of information from the Internal Revenue Service for further verification of income. In cases where there are questions about the validity of information provided by the family, the PHA will require the most recent federal income tax statements. Where doubt regarding income exists, a referral to IRS for confirmation will be made on a case-by-case basis.

ALIMONY OR CHILD SUPPORT PAYMENTS

Acceptable methods of verification include, in this order:

- PHA verification form completed by payment provider
- Verbal confirmation by payment provider
- Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules
- DA Child Support Hotline
- Copy of latest check and/or payment stubs from court trustee. PHA must record the date, amount, and number of the check
- Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received

If payments are irregular, the family must provide:

- A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules
- A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement
- Welfare Notice of Action showing amounts received by the welfare agency for child support
- A written statement from an attorney certifying that a collection or enforcement action has been filed

NET INCOME FROM A BUSINESS

In order to verify the net income from a business, the PHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next twelve (12) months.

ACCEPTABLE METHODS OF VERIFICATION INCLUDE:

IRS Form 1040, including:

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

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

- Audited or unaudited financial statement(s) of the business
- Credit report or loan application
- Family's self-certification as to net income realized from the business during previous years

Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six (6) months {or lesser period if not in business for six (6) months} to project income for the next twelve (12) months. The family will be advised to maintain these documents in the future if they are not available.

The PHA may request any of the documentation identified above, regardless of the verification used.

RECURRING GIFTS

The family must furnish a self-certification that contains the following information:

- The person who provides the gifts
- The value of the gifts
- The regularity (dates) of the gifts
- The purpose of the gifts

ZERO INCOME STATUS

When families report zero income, and have no income excluded for rent computation, the PHA will pursue verification of income that reflects the family's lifestyle.

Zero income families may be required to:

- Execute verification forms to determine that types of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household
- Complete the reexamination process every ninety days
- Complete a zero income form that estimates how much they spend on telephone, cable TV, food, clothing, transportation, debts, household items, and whether any of these costs are being paid by an individual outside the family (such payments are considered income)

To further verify zero income the PHA may:

- Request information from the State Employment Development Department and/or from the IRS
- Run a credit report if information is received that indicates the family has an unreported income source

FULL-TIME STUDENT STATUS

Only the first four hundred-eighty dollars ($480) of the earned income of full time students eighteen (18) years of age or older, other than head or spouse, will be counted towards family income. Financial aid, scholarships and grants received by full time students are not counted towards family income.

Verification of full time student status includes:

- Written verification from the registrar's office or other school official
- School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution

E. INCOME FROM ASSETS

The PHA is responsible for verifying all assets to determine the amount of income produced by these assets: Checking, & Savings Accounts, Stocks, Bonds, Interest Income and Dividends

The PHA recognizes that it is not always cost effective to incur bank verification fees nor utilize the administrative staff time to facilitate third-party verifications for checking and savings accounts; therefore, checking and savings accounts with average balances (for the last 6 months) under $1000 will not require third-party verifications from financial institutions.

For checking and savings accounts that do not require third-party verification, the PHA will utilize the current balance for savings accounts and the average six-month balance for checking accounts.

Checking and savings accounts, stocks, bonds, interest income and dividends will be verified in the following order by:

- PHA verification forms completed by the financial institution (if average monthly balance is over $1000).
- Verbal confirmation of information from the financial institution
- Account statements, passbooks, certificates of deposit
- Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification
- IRS Form 1099 from the financial institution provided that the PHA must adjust the information to project earnings expected for the next twelve (12) months

Interest Income from Mortgages or Similar Arrangements

- A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next twelve (12) months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown)
- Amortization schedule showing interest for the twelve (12) months following the effective date of the certification or recertification

NET RENTAL INCOME FROM PROPERTY OWNED BY FAMILY

- IRS Forms 1040 with Schedule E (Rental Income)
- Records from property management company handling the rental property
- Copies of latest rent receipts, leases, or other documentation of rent amounts
- Documentation of allowable operating expenses of the property: tax statements, insurance invoices, and bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense
- Lessee's written statement verifying rent payments to the family and family's notarized statement as to net income realized

F. VERIFICATION OF ASSETS

CURRENT MARKET VALUE

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

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

Assets Disposed of for Less than Fair Market Value (FMV) during two years proceeding effective date of certification or recertification.

For all certifications and recertifications, the PHA will obtain the family's certification as to whether any member has disposed of assets for less than fair market value during the two (2) years preceding the effective date of the certification or recertification.

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

G. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

CHILDCARE EXPENSES

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

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

A family must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.

MEDICAL EXPENSES

Families, who claim medical expenses, will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. One or more of the methods listed below will verify all expense claims:

- Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency
- Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family
- Written confirmation from the Social Security Administration's of Medicare premiums to be paid by the family over the next twelve (12) months. A computer printout will be accepted
- Receipts, cancelled checks, or payment stubs that verify past medical costs or past insurance expenses that are likely to be incurred in the next twelve (12) months. expenses that are likely to be incurred in the next twelve (12) months.

- Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next twelve (12) months.
- Receipts or other record of medical expenses incurred during the past twelve (12) months that can be used to anticipate future medical expenses. PHA may use this approach for "general medical expenses" such as non-prescription drugs, as prescribed by a physician, and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year

- The PHA will use mileage, at the IRS rate, cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment

For attendant care:

- A reliable, knowledgeable professional's certification that the assistance of an attendant is a necessary medical expense and a projection of the number of hours the care is needed for calculation purposes
- Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services

ASSISTANCE TO PERSONS WITH DISABILITIES

In All Cases:

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

Attendant Care:

- PHA verification form must be completed by provider
- Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided
- Certification of family and attendant and/or copies of canceled checks family used to make payments

Auxiliary Apparatus:

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

H. VERIFYING NON-FINANCIAL FACTORS

VERIFICATION OF LEGAL IDENTITY

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

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

- Certificate of Birth, naturalization papers
- Church issued baptismal certificate
- Current, valid Driver's license, or State ID Card
- U.S. military discharge (DD 214), U.S. passport
- Department of Human Assistance Identification Card
- Company/agency Identification Card

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Certificate of Birth
- Adoption papers
- Custody agreement
- Health and Human Services ID
- School ID cards
- Drivers License
- Passport

VERIFICATION OF MARITAL STATUS

Verification of marriage status is a marriage certificate.

Verification of a separation may be a copy of court-ordered maintenance or other records.

Verification of divorce status will be a certified copy of the divorce decree, signed by a court officer.

FAMILIAL RELATIONSHIPS

Self-Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will be required if certification is insufficient:

Verification of relationship:

- Official identification showing name
- Birth Certificates
- Baptismal certificates

Verification of guardianship:

- Court-ordered assignment
- Affidavit of parent
- Verification from social services agency
- School records

SPLIT HOUSEHOLDS/DOMESTIC VIOLENCE

Verification of domestic violence when assessing applicant split households includes:

- Shelter for battered persons
- Police reports
- District Attorney's office

VERIFICATION OF PERMANENT ABSENCE OF FAMILY MEMBER

If a family member, who was formerly a member of the household, is reported permanently absent by the family, the PHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation
- Order of protection/restraining order obtained by one family member against another
- Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement.

- Statements from other agencies such as social services that the adult family member is no longer living at that location
- If the family member is incarcerated, a document from the court or correctional facility should be obtained stating how long they will be incarcerated
- If no other proof can be provided, the PHA will accept a self-certification from the head of household or the spouse or co-head, if the head is the absent member.

VERIFICATION OF CHANGE IN FAMILY COMPOSITION

The PHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, postal verification and other sources.

VERIFICATION OF DISABILITY

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format.

VERIFICATION OF CITIZENSHIP/ELIGIBLE IMMIGRANT STATUS

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Ineligible family members have either been declared ineligible, or elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare his or her status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the PHA hearing is pending.

The PHA will not require citizens to provide documentation of citizenship.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

Eligible Immigrants who were Residents and sixty-two (62) years of age or over on June 19, 1995 are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The PHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the PHA must request within ten days that the INS conduct a manual search.

Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

FAILURE TO PROVIDE

If an applicant or resident family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

TIME OF VERIFICATION

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For family members added after other members have been verified, the verification occurs at the interim recertification, after the new member moves in. Once verification has been completed for any covered program, it need not be repeated.

EXTENSIONS OF TIME TO PROVIDE DOCUMENTS

The HA will grant an extension of thirty (30) days for families to submit evidence of eligible immigrant status.

ACCEPTABLE DOCUMENTS OF ELIGIBLE IMMIGRATION

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

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified.

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five (5) years.

VERIFICATION OF SOCIAL SECURITY NUMBERS

Social Security numbers must be provided as a condition of eligibility for all family members six (6) and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security card issued by the Social Security Administration.

If a family member cannot produce a Social Security card, only the documents listed below showing his/her Social Security number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security card information provided is/are complete and accurate:

- Verification of benefits or SSN from Social Security Administration
- Identification card issued by a federal, state or local agency
- Identification card issued by Medicare and Medicaid
- Benefit award letters from government agencies

New family members age six (6) year and older will have, and make available, their Social Security card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the PHA.

If an applicant or resident is able to disclose the Social Security number but cannot meet the documentation requirements, the applicant or resident must sign a certification to that effect provided by the PHA. The applicant/resident or family member will have an additional sixty- (60) days to provide proof of the Social Security number. If they fail to provide this documentation, the individual’s application or assistance will be terminated.

In the case of an individual at least sixty-two (62) years of age, the PHA may grant an extension for an additional sixty (60) days to a total of one hundred twenty (120) days.

If, at the end of this time, the elderly individual has not provided documentation, the individual's assistance will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

I. VERIFICATION OF WAITING LIST PREFERENCES

Wait List preferences will be verified prior to determination of eligibility. Such preferences include the following.

Involuntary Displacement: By Disaster, Government Action, or Inaccessibility

Families who claim they are being or have been displaced due to a natural disaster, government action, or inaccessibility are required to provide written verification by the displacing unit or agency of government, or by a service agency such as the Red Cross.

K. VERIFICATION OF SUITABILITY FOR ADMISSION

- Refer to Chapter 2 – Eligibility for Admission.

CHAPTER 8

TRANSFER POLICY

INTRODUCTION

The transferring of families is very costly, both to the PHA and to the families. However, it is the policy of the PHA to permit a resident to transfer within or between housing developments when it is necessary to comply with occupancy standards; or when it will help accomplish the affirmative housing goals of the PHA. The transfer policy will be carried out in a manner that does not violate any fair housing or civil rights acts.

The PHA will always consider a request to transfer as a reasonable accommodation for a person with a disability.

A. INVOLUNTARY (MANDATORY) TRANSFERS

DIFFERENT SIZE UNIT

The PHA may require the resident to transfer to a different size unit if the resident's family composition changes. The PHA will place all families requiring a mandatory transfer due to occupancy standards on a transfer list, which will be reviewed for need-based transfers prior to offering a unit to a family in the wait pool.

OUT OF AN ACCESSIBLE UNIT

The PHA may require a non-disabled resident to transfer from a disabled-accessible/adaptable unit to a unit that is not disabled-accessible/adaptable.

EMERGENCY TRANSFERS

The PHA will authorize an emergency transfer for a participant family if the resident's unit has been damaged by fire, flood, or other causes to such a degree that damages are hazardous to life, health or safety and the unit is not habitable. If the damage was a result of carelessness or negligence by the resident, a member of the resident's household, or a guest, the reasonable expense of repairing such damage will be charged to the resident and the household may be subject to eviction.

SPECIAL CIRCUMSTANCES TRANSFERS

The PHA will authorize transfers under special circumstances for a participant family if one of the following conditions occurs:

- The resident's unit is being modernized or significantly remodeled

- When the PHA determines it is necessary to rehabilitate or demolish the resident's unit
- The PHA has a need, at the discretion of the Housing Authority Director, to transfer the household to another unit and the resident voluntarily agrees to such transfer

In the case of involuntary (mandatory) transfers, the resident shall be required to move into the dwelling unit that is made available, after two offers by the Authority. The resident shall be given thirty (30) days in which to move following delivery of a transfer notice. If the resident refuses to move, the PHA may terminate the *Lease*.

Involuntary transfers for reasons other than safety or rehabilitation, are subject to the *Grievance Policy & Procedure (see Chapter 13).* Transfers will be delayed until such time as the grievance request has expired or the grievance process has been completed.

Resident will pay a new security deposit and all moving costs related to the transfer except when the transfer is due to the need of the PHA or inhabitability through no fault of the resident.

B. VOLUNTARY TRANSFERS

The PHA will consider any resident request for voluntary transfers in accordance with the priorities noted in Section C below. Residents must complete a *Transfer Request* form and provide documentation in support of the request.

When a unit becomes available, and after the transfer list has been reviewed for families requiring a mandatory transfer, the transfer list will be reviewed for other families desiring a transfer.

If the resident makes a written request for special unit features in support of a documented disability, the PHA shall make reasonable accommodations to modify the resident’s existing unit. If the cost and extent of the modifications needed are tantamount to those required for a fully accessible unit the PHA may transfer the resident to another unit with the features requested at the resident’s expense.

A family may be eligible to transfer for valid and certifiable reasons such as enabling the family:

- To live within twenty (15) miles of the place of employment of at least one family member
- To live within twenty (15) miles of a relative who will care for the children of a working parent
- To live within twenty (15) miles of a required medical treatment center
- To move from an upstairs to a downstairs unit for medical or accessibility reasons

Prior to approval of voluntary transfers, the resident, except for emergencies or medical hardship, must be in good standing with the PHA according to the following additional qualifying criteria:

- Rent (and payment agreements) must be current
- Other charges (and payment agreements) must be current
- Interim or annual recertifications must be current
- There must be no unresolved lease violations or eviction pending

Residency requirements, except for emergencies or medical hardship, are as follows:

- Eighteen (18) months after the resident's initial move into housing
- Twenty-four (24) months after a previous transfer

The PHA does not allow residents to transfer from one unit to another within the same building or development except as a reasonable accommodation for a family member with a disability or when the move is mandatory per the request of the PHA.

The PHA will not grant a transfer request solely to accommodate neighbors who cannot get along.

The PHA retains the right to suspend voluntary transfers.

Resident shall be responsible for a new security deposit and their own moving expenses for all approved voluntary transfers.

C. TRANSFER WAITING LIST

The Transfer Waiting List will be maintained by date of approval in rank order by:

- Emergency
- Medical hardship
- Household over-housed or under-housed (unit too large or small)
- All other reasons

Families on the Transfer Waiting List will be offered two (2) units. If the two offered units are refused they will be removed from the transfer list unless the PHA determines that the refusal was made for good cause. The family will have to wait eighteen months before applying for a transfer again. The PHA reserves the right to make the final determination on all non-mandatory transfers.

TRANSFER VACATE CHARGES

Residents with approved transfers are allowed three days of overlap between the unit transferred from and the unit transferred to. The resident is responsible for the per diem tenant rent on both units during this time.

Keys to the vacated unit must be returned to the area management office not later than the third (3rd) day from the new lease date. If the resident fails to return keys by the end of the third (3rd) day, the PHA may initiate termination of tenancy and/or remove belongings at tenant cost. After the third (3rd) day, if the resident has not returned keys to the unit from which they are transferring, the PHA may contract to have the resident's belongings placed in a secure storage facility at the expense of the resident.

The resident will be responsible for damages beyond normal wear and tear in the unit from which the resident was transferred.

GOOD CAUSE CRITERIA FOR RESIDENT DENIAL OF VOLUNTARY TRANSFER

If the resident has refused an approved voluntary transfer request they will be removed from the transfer list unless the PHA determines that the refusal was made for good cause.

Good cause may be any of the following reasons:

- The new unit is more than fifteen (15) miles from the place of employment of at least one (1) member of the family;
- The new unit is more than fifteen (15) miles from the school or job training program that at least one adult member of the family is attending;
- Travel to the doctor from the new unit would create a hardship for an elderly or disabled person.

The inconvenience or undesirability of changing schools for any minor child will not be considered good cause.

The hearing requirements described in chapter 13 are applicable to participating families who disagree with an action, decision, or inaction of the PHA regarding transfers.

CHAPTER 9

LEASING

[24 CFR 966.4]

INTRODUCTION

It is the PHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the PHA's policies pertaining to lease execution, security, other charges, and additions to the *Lease*.

A. LEASE TERMS AND CONDITIONS

The following terms and conditions of occupancy are made a part of the *Lease.*

LEASE REQUIREMENTS

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms except for noncompliance with the community service requirements, as described in the chapter on community services.

Because the lease automatically renews for terms of 12 months, an annual signing process in not required.

PROVISION FOR MODIFICATION

Changes to the *Lease*, other than changes in resident's rent amount, shall be by written addendum signed by both the PHA and the resident. Additional information, including but not limited to, this *Admissions and Continued Occupancy Policy (ACOP), Schedule of Fees and Charges, Schedule of Utility Allowances*, *Grievance Procedure*, etc. are all incorporated into the lease by reference and may be changed from time-to-time by the PHA. The resident shall be given thirty (30) days written notice setting forth the proposed changes, the reasons for them, and providing the resident with an opportunity to make written comments.

ABILITY TO COMPLY WITH LEASE TERMS

If during the term of the lease, the resident, due to a physical or mental disability covered by the Americans with Disabilities Act (ADA), is no longer able to comply with the provisions of the lease and cannot make arrangements for someone to aid him/her in complying with the lease, and the PHA cannot make reasonable accommodations that would enable the resident to comply with the lease, then the lease will terminate.

THE PHA'S OBLIGATIONS

- To maintain the premises and the property in decent and safe condition
- To comply with the requirements of applicable building and housing codes and HUD regulations materially affecting health and safety
- To make necessary repairs to the premises
- To keep property buildings, facilities and common areas, not otherwise assigned to the resident for maintenance and upkeep, in a clean and safe condition
- To maintain in good and safe working order and condition electrical, plumbing, sanitary, heating, ventilating, and other facilities and appliances, including elevators, supplied or required to be supplied by the PHA
- To provide and maintain appropriate receptacles and facilities for the deposit of garbage, and other waste removed from the premises by the resident.
- To supply running water, reasonable amounts of hot water, and heat at appropriate times of the year, except where heat or hot water is within the exclusive control by resident
- To notify the resident of the specific grounds for any proposed adverse action by the PHA such as proposed lease termination, transfer of resident to another unit or imposition of charges for maintenance or repair

THE RESIDENT'S OBLIGATIONS (INCLUDING MEMBERS OF THE HOUSEHOLD AND GUESTS)

- To pay rent or other charges due under the lease (i.e., maintenance charges and late charges)
- Not to assign the lease or to sublease the dwelling unit. Any attempt to assign or sublease the dwelling unit shall void the lease
- Not to provide accommodations for boarders or lodgers. To use the dwelling unit solely as a private dwelling for the resident and the resident's household as identified on the *Data Collection Sheet addendum* to the lease. Not to use the dwelling unit or permit its use for any other purpose, including mailing, for any persons not listed on the lease
- To pay charges, within thirty (30) days, (other than for wear and tear) for the repair of damages to the dwelling unit, development buildings, facilities, or common areas caused by either intentional or negligent conduct of resident, members of the household, or guests
- The rent is due and payable in advance no later than the first day of each month. Allocating a grace period, any rent received after the fifth day of each month will be considered delinquent and will be subject to a late charge. Being delinquent in the rent payment more than four (4) times during a twelve (12) month term of the *Lease* shall be a material breach of the lease, unless any such delinquency is outside the control of the resident and is documented by the resident to the satisfaction of the PHA

- To abide by any *House Rules* for the benefit and well being of the housing development and the residents

- To comply with all obligations imposed upon residents by applicable provisions of building and housing codes materially affecting health and safety
- To keep the dwelling unit and such other areas as may be assigned to the resident for the resident's exclusive use in a clean and safe condition
- To dispose of all garbage and other waste from the dwelling unit in a sanitary and safe manner
- To use in a reasonable manner all electrical, plumbing, heating, ventilating, air conditioning, elevators, and other facilities in the development buildings and common areas
- To refrain from scattering garbage, destroying, defacing, damaging, or removing any part of the dwelling unit or development
- To conduct himself/herself and assure other persons who are in the dwelling unit or in the common area of the development with the resident's consent, to conduct themselves in a manner which will not disturb neighbors' (including those neighbors who are not residents of low-rent public housing) peaceful enjoyment of their housing and which will be conducive to maintaining the development in a decent, safe, and sanitary condition

THE RESIDENT MUST ASSURE THAT NO MEMBER OF THE HOUSEHOLD, OR GUEST, ENGAGES IN:

- Any harassing activity or criminal activity that threatens the health, safety, or right to peaceful enjoyment of the PHA's public housing premises by other residents, the PHA management staff working or residing on the premises, or by persons residing in the immediate vicinity of the premises
- Any drug-related or violent criminal activity on or off the premises. For the purposes of this lease, the term drug-related activity means the illegal possession, manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance as defined in Section 102 of the Controlled Substances Act
- Alcohol abuse that the PHA determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents

THE RESIDENT MUST ASSURE THAT NO OTHER PERSON UNDER THE TENANT'S CONTROL ENGAGES IN:

- Any harassing activity or criminal activity including drug or alcohol abuse that threatens the health, safety, or right to peaceful enjoyment of the PHA's public housing premises by other residents, The PHA management staff working or residing on the premises, or by persons residing in the immediate vicinity of the premises
- Any drug-related or violent criminal activity on or off the premises

The resident agrees not to do any of the following in the dwelling unit without first obtaining the PHA's written permission:

- Dismantle, change or remove any part of the appliances (unless resident owned), fixtures or equipment
- Paint or install wallpaper or contact paper
- Attach awnings or window and door security bars
- Attach or place any fixtures, signs, or fences on the building(s), the common areas, or the property grounds
- Attach any shelves, screen doors, or other permanent improvements
- Install or alter carpeting, resurface floors or alter woodwork
- Install washing machines or dryers unless appropriate connections are available in the dwelling unit
- Install any antennas or satellite dishes (see antenna and satellite dish policy)
- Install additional or different locks or gates on any doors or windows
- Install alarm(s) or security system (s)
- Tamper, destroy, or dismantle any safety devises such as pull cords, fire extinguishers, or smoke detectors.
- Install a window HVAC unit

Resident agrees to:

- To abide by the provisions of the PHA's *Pet Policy/Agreement (see chapter 10)*
- Not to create (by act or omission) or permit to exist, any condition on the premises, which results in risk to personal health or safety of any person or damage to property.
- Resident must provide for the uninterrupted provision of electric and gas services.
- To immediately report to the PHA, any vandalism to the premises, or need for repair to the dwelling unit or common areas
- To abide by housekeeping standards set forth by the PHA
- Keep the area free of trash and debris and maintain the cleanliness of walkways, stairs, landings, hallways, porches, and patios adjacent to the dwelling unit. Resident must water, mow and maintain lawns or other landscaped or paved areas adjacent to the resident's dwelling unit unless the resident or the dwelling unit has been given written exemption by the PHA
- To abide by provisions of the PHA parking policy (9-16)

Notice

- Any legal notice to resident from the PHA shall be in writing delivered personally to the resident or to an adult member of the resident's household or sent by prepaid first class mail
- Any legal notice the resident gives to the PHA shall be in writing and delivered to the area management office responsible for the development in which the dwelling unit is located

EMERGENCIES

Resident shall take every care to prevent fires, not to keep any gasoline or gasoline operated device, solvents, or other combustible materials or substances (including charcoal lighting fluid) in any part of or around the dwelling unit, porches, balconies, or enclosed spaces, and to exercise particular caution with respect to children playing with matches and/or lighters. In the event the dwelling unit is damaged to the extent that conditions are created which are hazardous to life, health, or safety of the occupants:

- In case of fire, resident shall immediately notify the fire department and the PHA
- The PHA shall be responsible for repair of the dwelling unit. If the damage is caused by the resident, members of the household or guests, the resident shall pay the costs of repair
- The PHA may enter the premises at any time without advance notification when there is a reasonable cause to believe that an emergency exists

ABANDONMENT OF THE PREMISES

If the resident is absent from the dwelling unit for fourteen (14) consecutive days and rent is owed, the resident shall, at the option of the PHA, be considered to have abandoned the dwelling unit. The PHA may then proceed to take possession of the dwelling unit and dispose of the resident's personal property pursuant to state law.

WAIVER OF LEASE PROVISIONS

The PHA does not give up any of its rights to enforce the provisions of the *Lease* unless it does so in writing.

UNENFORCEABLE LEASE PROVISIONS

The provisions of the *Lease* are intended by the parties to be joint and severable. Should any paragraph or any portion of any paragraph, or any portion of any sentence of any paragraph in the *Lease* be found to be unenforceable due to any reason whatsoever, it is the intention of the parties that the remaining portions of this *Lease,* which are enforceable, remain binding and enforceable upon the parties.

ATTACHMENTS AND ADDENDUMS TO THE LEASE

Any revised attachments and addendums will be distributed at recertification. Attachments and addendums may include, but are not limited to:

- *Data Collection Sheet*
- *50058/50059 Certification*
- *House Rules*
- *Notice of Rent Adjustment*

- *Parking Policies*
- *Grievance Policy & Procedure (ACOP – Chapter 13)*
- *Lead Poisoning Notice*
- *Pet Policy/Agreement, when applicable*
- *Resident Rights & Responsibilities Notice*
- *Community Service Requirement*

B. LEASE ORIENTATION

Prior to execution of the lease, a PHA representative will provide a lease orientation to the family head and spouse or co-head. The orientation may be conducted with more than one family. The family must attend an orientation before taking occupancy of the unit.

ORIENTATION AGENDA

When families attend the lease orientation, they will be provided with:

* A copy of the Lease
* A copy of the PHA's lease and grievance procedure
* A copy of the House Rules
* A copy of the PHA Newsletter

Topics to be discussed will include, but are not limited to:

* Applicable deposits and other charges
* Provisions of the Lease
* Family Choice of Rents
* Orientation to the community
* Unit maintenance and work orders
* Explanation of occupancy forms
* Terms of occupancy
* Community Service
* Lead-based paint disclosure notice
* Lead hazard information pamphlet

C. EXECUTION OF LEASE

The lease shall be executed by the head of household, co-head, spouse, and all other adult members of the household, and by an authorized representative of the PHA, prior to admission.

The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new residents
- A new lease is executed at the time of the transfer of a resident from one PHA unit to another (with no change in reexamination date)
- If, for any reason, any signer of the lease ceases to be a member of the household, a new lease will be executed
- Lease signers must be persons legally eligible to execute contracts
- The names and date of birth of all household members are listed on the *Data Collection Sheet* at initial occupancy and at each subsequent recertification. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit
- Changes to Resident rents are made upon the preparation and execution of a *Notice of Rent Adjustment* by the PHA, which becomes an amendment to the lease. This document will be included in the resident file as confirmation that the resident was issued proper notice.
- Households that include a live-in attendant are required to execute a lease addendum authorizing the arrangement and describing the status of the attendant
- Households that include a live-in attendant will contain file documentation that the live-in attendant is not a party to the lease and is not entitled to PHA assistance, with the exception of occupancy while serving as the live-in attendant for the participant family member

PERMISSIBLE AND REASONABLE MODIFICATIONS OF THE LEASE

The PHA may modify its form of lease from time to time, giving residents an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A resident's refusal to accept permissible and reasonable lease modifications or those modifications required by HUD, is grounds for termination of tenancy

D. ADDITIONS TO THE LEASE

Requests for the addition of a new member to the household must be approved by the PHA prior to the actual move-in of the proposed new member, except in the case of birth, adoption or court awarded custody of a minor child.

Following receipt of a family's request for approval, the PHA will conduct a pre-admission screening, including the criminal history report, of the proposed new member. Only new members approved by the PHA will be added to the household. Any new household member must reside in the household for at least two (2) years prior to being able to take possession of the unit as head of household.

DETERMINING FACTORS FOR HOUSEHOLD ADDITIONS:

Household additions subject to screening:

- Resident plans to marry
- Resident is awarded custody of a child over the age for which juvenile justice records are available
- Resident desires to add a new family member to the lease, employ a live-in aide, or take in a foster child(ren)
- A unit is occupied by a remaining family member(s) under age eighteen (18), (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household

Factors determining household additions, which are not subject to screening:

- Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process

Factors determining household additions, which may be subject to screening, depending on PHA discretion:

- Children below the age, under which juvenile justice records are made available, who are added through a kinship care arrangement, are exempt from the pre-screening process

In such cases where the addition of a new member who has not been born, married, or legally placed into the family, and the addition will affect the bedroom size required by the family, according to the PHA occupancy standards, the PHA will not approve the addition.

The PHA will not approve adding a family consisting of more than one member to the lease if it will change the bedroom size required by the family. Such applicants will be encouraged to apply to the waiting list.

Residents who fail to notify the PHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the *Lease*. Such persons are considered to be unauthorized occupants by the PHA, and the entire household will be subject to eviction. Family members age eighteen (18) and over who move from the dwelling unit to establish new households shall be removed from the lease. The resident must notify the PHA of the move-out within ten (10) days of its occurrence.

The resident may not allow visitors to stay overnight without the consent of management for more than fourteen (14) consecutive days in a twelve (12) month period. Any adult not included on the HUD 50058, who has been in the unit more than

fourteen (14) consecutive days, or a total of fifteen (15) cumulative days in the month, will be considered to be living in the unit as an unauthorized household member.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member. The PHA will consider:

- Statements from neighbors and/or PHA staff
- Vehicle license plate verification
- Post Office records
- Drivers license verification
- Law enforcement reports
- Credit reports

Use of a unit address as the visitor‘s current residence, for any purpose that is not explicitly temporary, shall be construed as permanent residence.

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

Minors and college students who were part of the family, but who now live away from home during the school year, and are not considered members of the household, may visit for up to ninety (90) days per year without being considered a member of the household.

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

Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit.

Residents are not permitted to allow a former resident of the PHA who has been evicted to occupy the unit for any period of time.

Residents must advise the PHA when they will be absent from the unit for more than thirty (30) days and provide a means for the PHA to contact the resident in the event of an emergency. Failure to advise the PHA of extended absences is grounds for termination of the lease.

D. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES
[24 CFR 8.27(a)(1)(2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant, the PHA will offer such units:

- First, to a current occupant of another unit of the same development, or other public housing developments under the PHA's control who has a disability that requires the special features of the vacant unit
- Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit

The PHA will require a non-disabled applicant to agree to move to an available non-accessible unit within thirty (30) days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement.

F. UTILITY SERVICES

Residents responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction.

Non-payment of excess utility charge payments to the PHA is a violation of the lease and is grounds for eviction.

G. SECURITY DEPOSITS

New residents must pay a security deposit per the *Schedule of Fees & Charges* to the PHA at the time of admission. The PHA will hold the security deposit for the period the resident occupies the unit. The PHA will refund to the resident or designee the amount of the security deposit, less any amount needed to pay the cost of:

- Unpaid Rent
- Damages listed on the move-out inspection report beyond normal wear and tear
- Other charges under the *Lease*

The PHA will refund the security deposit less any amounts owed, within twenty-one (21) days after move out and resident's notification of new address. In those cases where there are extenuating circumstances that will delay the disposition of the security

deposit, a detailed description of items needing repair but with no costs attached to the repair will be mailed to the resident stating that the costs will follow as soon as they have been obtained.

The PHA will provide the resident or designee identified above with a written list of any charges against the security deposits. If the resident disagrees with the amount charged to the security deposit, the PHA will schedule a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged condition beyond normal wear and tear and must furnish a forwarding address to the PHA. All keys to the unit must be returned to the area management office upon vacating the unit.

The PHA will not use the security deposit for payment of rent or other charges while the resident is living in the unit.

If the resident transfers to another unit, the PHA will collect a new deposit in the amount in effect at the time of the transfer and credit the balance of the prior security deposit, less damages, to the resident's receivables account.

H. RENT PAYMENTS

The resident's rent is due and payable at the PHA-designated location on the first (1st) of every month. If the first (1st) falls on a weekend or holiday, the rent is due and payable on the first business day thereafter. If the PHA does not receive payment by the agreed-upon date, a delinquent rent notice will be sent.

I. FEES AND NON-PAYMENT PENALTIES

If the resident fails to pay monthly rent by the fifth (5th) day of each month, (the allocated grace period) a *14-Day Notice to Pay Rent or Quit/3-Day Notice running concurrently* will be issued. A late fee will be charged in accordance with the *Schedule of Fees and Charges*.

The resident will be charged for checks that are returned for non-sufficient funds (NSF), or checks written on a closed account according to the *Schedule of Fees and Charges*. The PHA will always consider the rent unpaid when a check is returned as NSF or a check is written on a closed account and personal checks will no longer be accepted.

Payments received will be applied to the oldest charges in the resident's account first.

J. SCHEDULE OF FEES & CHARGES

The PHA's *Schedule of Fees & Charges* for special charges including, but not limited to, services and repairs, which are incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the area management office and will be provided to residents upon request. Included in the schedule of fees & chargers will be amounts for fines for tampering with or dismantling safety equipment in the unit or on PHA property.

If you receive a bill for services and repairs, you will be required to pay the entire amount within thirty (30) days from the date of the bill.

K. MODIFICATIONS TO THE LEASE

Schedules of special charges, rules and regulations are subject to modification or revision. Residents will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the area management office, and:

- Personally delivered and/or mailed to the resident at the dwelling unit
- In accordance to 966.5 (b), the posting must be in at least 3 three places at each multi-family development in which residents affected by the modifications or revisions are located

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by both parties.

L. CANCELLATION OF THE LEASE

Cancellation of the resident's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

M. INSPECTIONS OF PUBLIC HOUSING UNITS

INITIAL INSPECTIONS

The PHA and the resident will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the PHA and the resident, will be kept in the resident's file

and a copy will be given to the resident. Any adult member may sign the inspection form for the head of household.

VACATE/MOVE-OUT INSPECTIONS

The PHA will perform a move-out inspection when the family vacates the unit, and will encourage the resident to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The PHA will determine the extent of resident caused damages to the unit, beyond normal wear and tear and charge according to the *Schedule of Fees & Charges.* Resident caused damages may affect part or all of the family's security deposit.

The move-out inspection also assists the PHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next resident.

When giving a thirty (30) day notice to vacate, the resident has a right to request an inspection prior to moving out in order to determine what items may need attention or repair. This is to allow the resident the opportunity to complete these repairs and avoid charges against the family's security deposit.

ANNUAL INSPECTIONS

The PHA will inspect all units at least annually using HUD's Uniform Physical Condition Standards (UPCS) as a guideline. All inspections will include a check of all smoke alarms to ensure proper working order. Needed repairs will be completed by the PHA, if necessary to bring the unit into UPCS compliance.

- Damages beyond "normal wear and tear" will be billed to the resident
- Residents who repeatedly "fail" the inspection or cause excessive damage to the unit are in violation of their lease and may be scheduled for a lease violation conference

SPECIAL INSPECTIONS

The PHA may conduct special inspections, including but not limited to housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review PHA operations periodically and as a part of the monitoring may inspect a sampling of the PHA's inventory.

In order to maintain a high level of fire safety, when responding to general work orders in housing units, the Maintenance Department will also be inspecting smoke detectors

for proper function. At this same time the department may also be inspecting other fire, life, and safety equipment.

SITE INSPECTIONS

The PHA will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

RESIDENT DAMAGES

Repeated failed inspections including, but not limited to, housekeeping or damages to the unit beyond normal wear and tear may constitute serious or repeated lease violations subject to lease termination.

ENTRY OF PREMISES NOTICES

The PHA will give forty-eight (48) hours written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable and customary business hours of the day. Reasons the PHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- Pest control services

The PHA can enter the unit without notice if housing staff reasonably believes an emergency exists within the unit.

FAMILY RESPONSIBILITY TO ALLOW INSPECTION

The PHA must be allowed to inspect the unit at reasonable times (normal business hours) with reasonable notice. Forty-eight (48) hour written notice will be considered reasonable in all cases.

EMERGENCY INSPECTIONS

Housing staff, including PHA inspectors, may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, the inspector may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see *Entry of Premises Notices* in this chapter.) Emergency work order repairs are to be either abated or completed within twenty-four (24) hours from the time the work order is issued.

EMERGENCY REPAIRS TO BE ABATED IN LESS THAN TWENTY-FOUR (24) HOURS

The following items are to be considered emergency in nature and require immediate {less than twenty-four (24) hour} response and repair or resolution with 24 hours:

- Broken lock, which affects unit security
- Broken window glass, which affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Plumbing leaks, which have the capacity to create flooding, or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable smoke detectors will be treated as a twenty-four (24) hour emergency and will be made operable by the PHA if the smoke detector is in need of repair. Residents who disengage smoke detectors, or any safety equipment will be cited and fined.

NON-INSPECTION EMERGENCY ENTRY

The PHA staff will allow access to the unit to proper authorities when issues of health or safety of the resident are concerned.

QUALITY CONTROL INSPECTIONS:

The housing management staff may conduct periodic quality control inspections to confirm the condition of the unit and to identify problems or issues.

N. PEST CONTROL

Once yearly, according to a pre-arranged schedule or as required, the pest control technician and a representative of PHA will enter each residence to complete fumigation for the control of vermin and/or roaches, etc.

O. TRASH DISPOSAL AND RECYCLE PROGRAM

Proper disposal of trash by the resident is required. All trash such as garbage, papers, bottles, and cans, which is unacceptable for recycling, should be securely wrapped and fastened in plastic bags and deposited in the cans or bins provided.

Large articles, such as boxes, must be flattened before depositing in cans or bins. The resident should dispose of stuffed furniture, mattresses, tables, chairs etc., on their own at a refuse station. The maintenance department may offer assistance in disposing of furniture (see *Schedule of Fees and Charges*).

Residents residing in multi-family developments must participate in the recycling program if so equipped. Garbage only designated bins are provided for garbage. Recycle bins are available for recycle material including acceptable containers and paper.

P. APPLIANCES

The PHA supplies stoves in all units. Refrigerators are supplied in all elderly and elderly disabled units and they may be supplied in scattered multi-family housing units. Refrigerators are not supplied in scattered duplexes and single family homes. If residents have their own appliance, where one is otherwise provided, they must make their own arrangements to store the unit. At no time are appliances to be removed from the premises. Proper authorities will be notified to recover stolen appliances.

The resident must maintain appliances in an acceptable condition. Requests for repairs should be reported to maintenance. Resident caused damage or neglect will be assessed on a pro-rated basis.

No washers and/or dryers are supplied or serviced by the PHA, but they may be installed with appropriate provisions and prior written approval of management. Improper ventilation of a dryer is cause for a lease violation.

Q. SCREEN DOORS

No screen doors may be installed without management approval (see Screen Door policy). Only screen doors installed by PHA will be repaired. Unauthorized installations will result in tenant charges for screen door removal costs. Unauthorized installations will result in tenant charges for screen door removal costs.

R. WINDOW COVERINGS

Only shades, blinds, drapes or curtains are acceptable window coverings and must show as white or off white to the outside. Residents are responsible for removal and or repairs of resident installed window coverings. For units without PHA-installed window shades, coverings are required as indicated, and must have prior PHA written approval.

S. GARDENING

Planter areas in multi-unit complexes are dedicated for PHA use. Agency maintenance personnel and/or contractors provide the ongoing maintenance to these areas. These designated areas are specific to each site and are used for planting shrubs, flowers and

other low growing foliage. Planter areas are standardized for each site and bordered by concrete mow strips, sidewalks or lawn turf edges.

Some complexes may have space for residents to grow vegetables, flowers, or low growing shrubs, with management written approval, in designated areas only. Requests for gardening shall be made in writing directly to the property manager. The request(s) must show the area to be planted, describe the type of plants and materials to be installed, and indicate the type of any low borders or fencing to be placed in the area. Where borders or fencing are allowed, they will not have a height of more than 1 foot and shall have no sharp or pointed edges. Under no circumstances shall the area of a designated planter be increased and cutting and removing existing turf shall be prohibited.

If after receiving written approval, the resident fails to water and keep weed free, they will be charged for clean up of any debris and the use privilege will be withdrawn. All watering must be supervised by the resident and no free flowing hoses allowing water to run across sidewalks and into street gutters will be allowed. Residents that have been given written approval for gardening in planter areas will be provided a placard stating "Maintained by Tenant" to be placed in the planter area.

T. PARKING

Residents are required to park only in designated areas, and ensure that guests and visitors do not park in parking areas of other residents and abide by parking policies adopted by the PHA (see *Parking Policy*). Residents are to refrain from driving, or parking any vehicles on the lawns, sidewalks, or other areas of use provided under this lease. In multi unit developments, vehicles must be parked front end in first, not backed in.

U. INOPERATIVE AND ABANDONED VEHICLES

Inoperative vehicles must be promptly removed from PHA property

Vehicles must have current registration in resident's name. Failure to supply current registration will result in vehicle being ticketed and towed.

Vehicle repairs on PHA property are prohibited. Offenders will receive written notice to discontinue the activity at once. Failure to comply will result in the towing of the vehicle and notification of a lease violation for the tenant.

Abandoned vehicles will be removed promptly from PHA property. Management has authorized the PHA to have such vehicles ticketed and towed. Where ownership is known, the owner will be given a written notice to remove the vehicle. If the owner does not comply within forty-eight (48) hours, the vehicle will be towed at owner's expense

If a vehicle is given a 48 hour notice, for cure, this notice will serve in perpetuity for the issue it was written and the vehicle will be subject to tow without any further warning.

V. MISCELLANEOUS POLICIES

HOUSE RULES

Rules and regulations are established for the benefit of the residents. Such rules and regulations will be posted and incorporated into the lease by reference. Residents must abide by such rules and regulations.

EMERGENCY HOUSING

In cases of emergency such as fire, flood or natural disaster the PHA may assist with housing arrangements (see *ACOP – Chapter 8).*

In developments where the unit's front door opens to an indoor common area (corridor), it is prohibited to prop this door open. The door may remain open for normal entry and egress only.

W. KEY CONTROL

The policy of the housing authority shall be to issue and assign keys or key cards only to individuals who have been screened through a criminal background check and found to be responsible for the proper use and safeguarding of the key or key card.

Each adult resident is issued one key or key card for their building or property (if applicable) and one key for their apartment.

Residents may apply for additional key(s) for friends, care givers, etc., upon payment of the key duplicating fee. The key(s) or key card shall be assigned to the individual requested by the resident provided that the proposed key assignee consents to and passes a criminal background check using tenant eligibility criteria.

Keys may be revoked or recovered from any non-resident who use of the key or actions disrupt the quiet enjoyment of the residents. In serious or repeated incidences of misconduct or misuse of their assigned key, the resident can be held responsible for the misconduct of their guests.

X. WADING POOLS

Due to property damage, health, safety, liability, and the increased sensitivity to water conservation, the PHA does not allow wading pools of any size within any agency property limits.

CHAPTER 10

PET POLICY

[24 CFR 5 Subpart C and 960 Subpart G]

INTRODUCTION AND STATEMENT OF VALUES

PURPOSE

This pet policy is to establish the PHA's policy for ownership of pets in elderly, disabled and family housing and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. The policy also establishes reasonable rules governing the keeping of common household pets. The pet policy is designed to protect both pet owners and non-pet owners, and to ensure the animals receive responsible care. The policy applies to all pets kept in PHA housing. The rules adopted are reasonably related to the legitimate interest of the PHA to provide a decent, safe and sanitary living environment for all residents, to protect and preserve the physical condition of the premises, and to protect the financial interest of the PHA.

A. REGISTRATION OF PETS

Pets must be registered with the PHA before they are brought onto the premises.

Registration must be updated annually, coordinated with the annual recertification date. Proof of license and inoculation must be submitted with the resident's annual recertification documents.

B. NON-APPLICABILITY OF PET POLICY TO ANIMALS THAT ASSIST PERSONS WITH DISABILITIES

REASONABLE ACCOMMODATION FOR ASSISTANCE ANIMALS

Assistance animals are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptoms or effects of a person's disability.

Animals do not necessarily have to be formally trained to qualify as assistance animals however the animal must actually perform the assistance or provide the benefit needed by the person with the disability. Reasonable accommodation requires that there is a relationship between the person's disability and his or her need for the animal.

Assistance animals that are needed as a reasonable accommodation for persons with disabilities are not considered pets, and thus, are not subject to certain portions of the PHA Pet Policy. There is no pet deposit for approved assistance animals. Household members with documented disabilities are exempt from pet deposits, provided the exemption is requested. All other residents requesting exemption from the pet deposit requirement must request a verification of the need for reasonable accommodation for an assistance animal, which must be provided by a licensed physician, attending health care professional, or other qualified professional and submitted on a *Verification of Need for Reasonable Accommodation* form. The PHA will consider all requests for reasonable accommodation.

All provisions of the *Lease* and *Pet Policy/Agreement* regarding the responsibilities of pet owners to control the animals, maintain the premises in clean and sanitary condition, and ensure that neighbors enjoy the premises in a safe and peaceful manner apply to all residents.

The PHA retains the right to disapprove an assistance animal as a means to provide a reasonable accommodation for an individual with a disability in the following cases:

- There is reliable objective evidence that the animal posses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation.
- There is reliable objective evidence that the animal would cause substantial physical damage to the property of others.
- The presence of the assistance animal would pose an undue financial and administrative burden to the PHA.

C. ADVANCE PERMISSION, REGISTRATION, AND PET DEPOSITS

Permission to keep a pet is granted at the PHA's sole discretion and is subject to the resident's strict adherence to all aspects of the *Pet Policy/Agreement*. Any resident who wishes to keep a pet will first obtain the approval of the PHA, register the pet by complying with the requirements of the *Pet Policy/Agreement*, pay (or make arrangements to pay) a pet deposit for each qualified pet, and sign a *Pet Policy/Agreement*.

The pet deposit for dogs and cats is two hundred fifty dollars ($250). No pet deposit is required for birds, fish, or rodents/other.

Only common household pets will be allowed. These include dogs, cats, fish, birds, rabbits, and rodents such as guinea pigs and hamsters. Residents may be permitted to have two (2) pets, but may not have two dogs or two cats.

Dogs: Dogs are limited to no more than one dog in any dwelling unit, and are limited to a maximum adult weight of twenty-five (25) pounds as documented by a veterinarian.

They must be housebroken; must be effectively restrained and under the control of a responsible person when passing through common areas; must not be tethered or chained outside or within the dwelling unit; must not be housed outside; and must be leashed when outdoors or in common areas. The dog owner must carry appropriate containment apparatus to promptly and completely remove all fecal matter deposited by dogs in a sanitary manner.

Cats: Are limited to no more than one cat in any dwelling unit. Cats must remain inside unless being transported in an appropriate secured carrier and must be trained to use a litter box or other waste receptacle. Litter boxes must be cleaned regularly and the waste disposed of in a sanitary manner. Litter must never be flushed down the toilet.

General Conditions for Dogs and Cats: A health certificate must be obtained by a licensed veterinarian and given to the PHA at time of registration of the dog or cat. This certificate must contain, but is not limited to the following information:

1. The name, address and telephone number of the attending veterinarian.
2. Documentation that the dog or cat is in generally good health and free of any communicable diseases or parasites.
3. That the dog or cat has been spayed or neutered or this procedure will be completed prior to 4-6 months of age as recommended by the veterinarian.
4. Documentation that the dog or cat is current on all standardized inoculations with a schedule of future inoculations included.
5. Confirmation of breed, current weight and estimated adult weight.

The PHA requires the name, address and telephone number of the veterinarian that will be providing future regular care for the dog or cat and contact information for a responsible adult, other than the resident or a household member, who may be contacted in an emergency.

Dogs and cats must be licensed at time of registration and ongoing if specified by local, state or federal mandate. A color photograph must be provided at the time of registration.

Other Pets: Pet cages and/or aquariums must be in good repair and be cleaned regularly.

Birds: Maximum number two (2). Birds must be contained in an acceptable cage at all times.

Fish: Maximum aquarium size twenty (20) gallons or any combination of tanks not to exceed twenty (20) gallons. Fish aquariums must be maintained on stands approved by management.

Rodents/Other: Maximum number two (2) rabbits, guinea pigs, hamsters, or gerbils and must be in an acceptable cage at all times.

D. PROHIBITED ANIMALS

Prohibited animals include, but are not limited to, the following:

- Any animal whose weight could exceed twenty-five (25) pounds by maturity.
- Dogs or other pets determined to be dangerous, intimidating or vicious.
- Chicks or other animals that pose a significant risk of salmonella infection to those who handle them.
- Pigeons, doves, mynah birds, psittacine birds of other species that are hosts to the organisms causing psittacosis in humans.
- Animals who would be allowed to produce offspring for sale - breeding of any animals are prohibited.

E. ADDITIONAL CONDITIONS AND REQUIREMENTS

- Residents/pet owners shall not alter their unit, patio, premises, or common areas to create an enclosure for any animal. Installation of pet doors is prohibited
- Except as required by law or permitted by the PHA as a reasonable accommodation, pets are not permitted in common areas (except to pass through for ingress or egress) including, but not limited to lobbies, community rooms, kitchens, dining facilities, and laundry areas
- Residents are responsible for controlling the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt the quiet enjoyment of their dwelling unit or the premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities
- No pet (excluding fish) shall be left unattended in any dwelling unit for a period in excess of forty-eight (48) hours
- Resident/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet(s)
- Resident/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents at all times
- Resident/pet owners shall take adequate precautions to eliminate any pet odors within or around the dwelling unit and to maintain the unit in sanitary condition at all times
- Pet waste must be promptly placed in a sealed plastic bag and deposited in an outside garbage container for disposal
- Residents are prohibited from feeding or harboring stray animals including birds
- The PHA regularly treats units for pest control, if a pet is the cause for more frequent treatments, all such treatments or specialized treatments, will be charged to the tenant.

- It will be the responsibility of the tenant to remove any animal that may be harmed by the use of pesticides.

F. INSPECTIONS AND OTHER RIGHTS OF THE AUTHORITY

- The PHA reserves the right to enter the premises at any time when there is evidence that an animal has been left alone and is in danger or distress.
- The PHA reserves the right to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation, at the resident's expense.
- The PHA may, after reasonable notice to the resident, during reasonable hours, enter and inspect the premises, in addition to other inspections allowed. This may include, but not be limited to a monthly walk-through inspection to insure the resident is adhering to the *Pet Policy/Agreement.*

G. PET REMOVAL

Residents are solely responsible and liable for the conduct or misconduct of pets, whether owned or allowed on PHA premises by the resident. The resident shall take all necessary steps to insure that pets that become vicious or intimidating, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are immediately removed by the resident and/or referred by the resident to the appropriate state or local entity authorized to remove such animals. If the resident fails to fulfill his/her obligation to remove a pet from the premises the PHA may take all necessary steps to remove, or have removed, the pet from the premises. If a pet injures or intimates another resident or anyone in the building or on the grounds of any PHA property, including but not limited to biting, scratching, or assaulting person(s), the pet owner must immediately remove the pet permanently from the premises without direction from the PHA to do so. If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, and the designated responsible party is unavailable (or unwilling) to provide a remedy, the PHA will remove the pet from the using any legal remedy available and at the expense of the resident.

H. TERMINATION OF TENANCY

The PHA may terminate tenancy when the resident has failed to remove the pet or correct a pet rule violation within the time specified in a warning notice.

I. DISPOSITION OF PET DEPOSIT(S)

All reasonable expenses incurred by the PHA as a result of damages directly attributable to the presence of the pet will be the responsibility of the resident including,

but not limited to the cost of fumigation, repairs and/or replacement to the resident's dwelling unit or common areas. The pet deposit is fully refundable upon removal of the pet or the household's move out of housing if the PHA determines that there are no damages or other expenses caused by the pet. If upon removal of the pet or the household's move out of housing, the cost of repairing any damages caused by the pet exceeds the pet deposit, management will use funds from the resident's regular security deposit to cover the expense. The resident will be billed for any amount owed in excess of the pet deposit and security deposit.

J. LIABILITY

Residents shall be held solely responsible and liable for the conduct or misconduct of their pet(s). The Housing Authorities of the City and County of Sacramento and their representatives will not be held responsible for any accident or injury involving residents, guests, or visitors to the premises as a result of allowing pets.

K. REFUSAL TO REGISTER PETS

The PHA shall not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the PHA refuses to register a pet, written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD notice requirements.

The PHA will refuse to register a pet if:

- The pet is not allowed under *Section D, Prohibited Pets* as found in this policy.
- Keeping the pet would violate any *House Pet Rules.*
- The pet owner fails to provide complete pet registration information, or fails to update the registration annually.
- The PHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. Attributes of the pet including, but not limited to temperament and behavior will be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

L. PETS TEMPORARILY ON THE PREMISES

Pets not owned by the resident will not be allowed on the premises. This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the PHA. But even with visiting pet programs the PHA reserves the right to limit the type of animal to those listed in section C of this chapter.

In the event the PHA's policy conflicts with state or local law, state or local laws governing pets temporarily in dwelling accommodations shall prevail.

In all cases, the resident will be responsible for all liability, financial or otherwise, for the action of any pet knowingly allowed in their residence.

Chapter 11

RECERTIFICATIONS

[24 CFR 5.617, 24 CFR 960.209]

INTRODUCTION

In accordance with HUD requirements, the PHA will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Annual recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulations. It is a HUD requirement that families report all changes in household composition, but the PHA decides what other changes must be reported and the procedures for reporting them. This chapter defines the PHA's policy for conducting annual recertifications and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ELIGIBILITY FOR CONTINUED OCCUPANCY

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

- Qualify as a family as defined in this policy
- Are in full compliance with the obligations and responsibilities described in the dwelling lease
- Whose family members, age six (6) and older, each have submitted their Social Security numbers or have certifications on file that they do not have a Social Security number
- Whose family members have submitted required citizenship/eligible immigration status/non-contending documents
- Compliance with the Community Service requirements

B. ANNUAL RECERTIFICATIONS

The terms *annual recertification* and *annual reexamination* are synonymous. At least annually, the resident is required to provide the PHA with accurate and current information as stipulated in the *Lease*. In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition.

Transfers That Occur Around the Time of the Annual Reexamination

If the family transfers, an interim recertification will be conducted (unless a recertification was completed with an effective date of action within the last 120 days). If the move occurs prior to, but close to the time (within 120 days) of the regularly scheduled annual reexamination, an interim reexamination will be conducted first, so that current income is used to determine tenant rent for the new lease. The interim reexamination will be followed by the regularly scheduled annual reexamination, at which time the next reexamination date will be changed to the next year. This two-step method ensures that current income is used for new leases and ensures a complete annual reexamination is performed while allowing the recertification month to remain the same as the original admission month.

REEXAMINATION NOTICE TO THE FAMILY

The PHA will maintain a reexamination tracking system and the household will be notified by mail at least ninety (90) days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the PHA will provide the notice in an accessible format. The PHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

COMPLETION OF ANNUAL RECERTIFICATION

The PHA will have all recertifications for families completed before the anniversary date. This includes notifying the family of any changes in rent at least thirty (30) days before the scheduled date of the change in family rent.

RECERTIFICATION BY MAIL – (AS A REASONABLE ACCOMMODATION)

The PHA will permit the family to submit annual and interim recertification forms through the mail, or a home visit may be conducted, when the PHA has determined that the request is necessary as a reasonable accommodation.

The mail-in packet will include notice to the family of the PHA's deadline for returning the completed forms to the PHA.

If there is more than one adult member in the household, but only one is disabled, recertifications will be required and will not be processed through the mail. In such cases, the able adult family members come in for the appointment and then take the necessary forms home to the member with a disability for completion and signature.

HOME VISITS – (AS A REASONABLE ACCOMMODATION)

When requested and where the need for reasonable accommodation has been established, the PHA will conduct home visits to residents to conduct annual and interim recertifications.

Requests for home visit recertifications must be received by the PHA at least five (5) days before the scheduled appointment date in order for the request to be considered.

The PHA will not consider home visit recertifications that are requested after the scheduled appointment has been missed. However, the PHA may grant an exception to this policy on a case by case basis.

COLLECTION OF INFORMATION

The PHA has established appropriate recertification procedures necessary to ensure that the income data provided by families is complete and accurate.

The family is required to complete a *Data Collection* form prior to all annual recertification interviews.

REQUIREMENTS TO ATTEND

The written notification explains which family members are required to attend the recertification interview.

FAILURE TO RESPOND TO NOTIFICATION TO RECERTIFY

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the PHA, the PHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the PHA will terminate tenancy for the family.

Supervisory or designated staff may make exceptions to these policies, if the family is able to document an emergency situation that prevented them from canceling or attending the appointment, or if requested, as a reasonable accommodation for a person with a disability.

DOCUMENTS REQUIRED FROM THE FAMILY

In the notification letter to the family, the PHA will include instructions for the family to bring the following:

- Most recent IRS Tax filing and all most recent W2 forms
- Documentation of income for all family members
- Documentation of liquid and non-liquid assets
- Documentation to substantiate any deductions or allowances
- Personal declaration form completed by head of household
- Other documents as required (including release forms for criminal record information)
- Complete recertification packet

VERIFICATION OF INFORMATION

All information affecting the family's continued eligibility for the program and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this policy. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

- The continued eligibility of the resident as a *family* or as the *remaining member* of a family
- The unit size required by the family
- The amount of rent the family should pay

CRIMINAL RECORD CHECKS ON EXISTING RESIDENTS

In an effort to maintain safe and healthy environments for public housing residents and nearby neighborhoods, the PHA must ensure that families have met their obligation to comply with HUD regulations.

Release forms for the PHA to obtain criminal records will be obtained at the time of annual recertification. Criminal background checks will be run (as dictated by policy).

Criminal record checks may be obtained on existing residents on a random basis, by individual sites, or on individual residents, if there is reasonable cause to suspect that the resident is in violation of the family obligation not to engage in drug or violent criminal activity on or off the premises. Resident screening would be performed only for those violations for which a person could lawfully be terminated from public housing.

CHANGES IN THE RESIDENT RENT

If there is any change in rent, the lease will be amended, or a new lease will be executed, or a *Notice of Rent Adjustment* will be issued.

RESIDENT RENT INCREASES

If the resident rent increases, a notice is mailed to the resident 30 days prior to the effective date of the increase.

If less than thirty (30) days are remaining before the scheduled effective date of the annual recertification, the resident rent increase will be effective on the first of the month following the thirty-day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the scheduled effective date of the annual recertification.

RESIDENT RENT DECREASES

In cases where the tenant rent decreases when the reexamination is submitted by the family and completed as an annual reexamination, the effective date will be the first of the month of the anniversary date.

If the family causes a delay so that the processing of the reexamination is not complete by the anniversary date, rent change will be effective on the first (1st) day of the month following completion of the reexamination processing by the PHA.

If the resident rent decreases and the resident reported the change within a month prior to the annual recertification anniversary date or between the annual recertification anniversary date and the effective date of the annual recertification, the change will be treated as an interim reexamination. The change will be effective the first (1st) of the following month that the family reported the change. In this case, the PHA processes and submits another HUD 50058 as an annual recertification.

C. REPORTING INTERIM CHANGES

HOUSEHOLD COMPOSITION

Families must report all changes in household composition within fifteen (15) days to the PHA between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain PHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult family member is added, the PHA will complete an application for continued occupancy and re-verify, using the same procedures the PHA staff would use for an annual reexamination, except for effective dates of changes. In such case, the Interim Reexamination Policy would be used. The annual reexamination date will not change as a result of this action.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head of household or spouse that the member (who may be the head of household) removed is permanently absent.

The head of household must provide a statement that the head of household or spouse will notify the PHA if the removed member wants to return to the household. Prior to their return to the household the family must fill out a request to add form, and it must be approved by the PHA.

The U.S. citizenship/eligible immigrant status of new family members must be declared and verified prior to the approval by the PHA of the family member being added to the lease. Residents are required to complete a “request to add member to household”.

INCREASE IN FAMILY SIZE

The PHA will consider a unit transfer (if needed under the occupancy guidelines) for additions to the family in the following cases:

- Addition by marriage/or marital-type relation
- Addition of a minor who is a member of the nuclear family who had been living elsewhere
- Addition of a PHA-approved live-in attendant
- Addition due to birth, adoption or court-awarded custody

Families who need a larger sized unit because of voluntary additions will have lower priority on the transfer list than other families who are required by the PHA to change unit size.

If a change due to birth, adoption, court-awarded custody, or need for a live-in attendant causes overcrowding and thus requires a larger size unit, the change in unit size shall be made effective upon availability of an appropriately sized unit.

DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT

The PHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, the PHA must count the income of the spouse, co-head or the head of the household if that person is temporarily absent.

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

It is the responsibility of the head of household to report changes in family composition. The PHA will evaluate absences from the unit in accordance with this policy.

ABSENCE OF ANY MEMBER

Any member of the household will be considered permanently absent if s/he is away from the unit thirty (30) consecutive days in a twelve- (12) month period except as otherwise provided in this chapter. If a member of the household is subject to a court order that restricts him/her from the home for more than thirty (30) days, the person is considered permanently absent.

Full time students, under the age of twenty-four (24), who attend school away from the home and live with the family during school recess, will be considered temporarily absent from the household.

ABSENCE OF ENTIRE FAMILY

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the PHA may terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy. However, families are required to notify the PHA before they move out of a unit in accordance with the lease and to give the PHA information about any family absence from the unit. During the period of absence, the rent and other charges must remain current.
Families must notify the PHA if they are going to be absent from the unit for more than fifteen consecutive days. A person with a disability may request an extension of time as a reasonable accommodation.

"Absence" means that no authorized family member is residing in the unit.

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

- Conduct home visit
- Write letters to the family at the unit
- Post letters on exterior door
- Telephone the family at the unit
- Interview neighbors
- Verify if utilities are in service
- Check with Post Office for forwarding address
- Contact emergency contact

If the entire family is absent from the unit, without PHA permission, for more than thirty (30) consecutive days, the unit will be considered to be vacant and the PHA may terminate tenancy.

ABSENCE DUE TO MEDICAL REASONS

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

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

ABSENCE DUE TO INCARCERATION

Any member of the household will be considered permanently absent if s/he is incarcerated for thirty (30) or more consecutive days. The rent and other charges must remain current during this period.

The PHA will determine if the reason for incarceration is for drug-related or criminal activity, which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents.

FOSTER CARE AND ABSENCES OF CHILDREN

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

If the time period is to be greater than six (6) months from the date of removal of the child(ren), the child will be considered permanently absent from the unit and the unit size will be reduced in accordance with the PHA's occupancy guidelines.

CARETAKER FOR CHILDREN

If neither parent remains in the household, and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the PHA will treat that adult as a visitor for the first fourteen (14) days. The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

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

If the court has not awarded custody or legal guardianship, but the action is in process, the PHA will secure verification from social services staff or the attorney as to the status.

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

ABSENCE DUE TO FULL-TIME STUDENT STATUS

Full time students under twenty-four (24) years of age, who attend school away from the home, will be treated in the following manner:

- A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent.

- If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

- If the family decides that the member is temporarily absent, income of that member will be included in total household income, the member will be included on the lease, and the member will be included for determination of unit size

INCOME

INCREASES IN INCOME TO BE REPORTED

Families are required to report all increases in income or assets that occur between regularly scheduled annual recertifications. (See C. Reporting Interim Changes.) Increases in income, less than two hundred dollars ($200) per month, between annual recertifications will be noted in the file, but a rent adjustment will not be calculated until the next annual recertification or the addition of a household member.

DECREASES IN INCOME AND RENT ADJUSTMENTS

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions, which would reduce the amount of the total tenant payment. The PHA will process the rent adjustment unless the PHA confirms that the decrease in income will last less than thirty (30) days.

If the family causes a delay in the processing of the reexamination, rent change will be effective on the first day of the month following completion of the reexamination processing by the PHA.

OTHER INCOME ISSUES

For families reporting zero income, an interim reexamination will be performed every ninety (90) days.

In the following circumstances, the PHA may conduct the interim recertification by mail:

- As a reasonable accommodation when requested. (see *Chapter 1 - Statement of Policies and Objectives*)

D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The PHA will not reduce the public housing rent for families whose welfare assistance is reduced specifically because of:

- Fraud
- Failure to participate in an economic self-sufficiency program
- Non-compliance of welfare requirements
- Noncompliance with a work activities requirement

However, the PHA will reduce the rent if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits
- A situation where the family has complied with welfare program requirements but cannot or has not obtained employment
- The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits

VERIFICATION BEFORE DENYING A REQUEST TO REDUCE RENT

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced due to fraud or noncompliance with welfare agency economic self-sufficiency or work activities requirements *before* denying the family's request for rent reduction.

The PHA will rely on the welfare agency's written notice to the PHA regarding welfare sanctions.

COOPERATION AGREEMENTS

The PHA has an unwritten cooperation agreement in place with the local welfare agency that assists the PHA in obtaining the necessary information regarding welfare sanctions.

The PHA has taken a proactive approach to culminating an effective working relationship between the PHA and the local welfare agency for the purpose of targeting economic self- sufficiency programs throughout the community that are available to public housing residents.

E. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)

STANDARD FOR TIMELY REPORTING OF CHANGES

The PHA requires that families report interim changes in writing to the PHA within thirty (30) days of when the change occurs. Any information, document or signature needed

from the family, which is needed to verify the change, must be provided, in writing, within thirty (30) working days from the date the information or signatures are requested from the family. .

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the PHA), it will be considered untimely reporting.

PROCEDURES WHEN THE CHANGE IS REPORTED IN A TIMELY MANNER

The PHA will notify the family of any changes in resident rent to be effective according to the following guidelines:

- Increases in the resident rent are effective at annual recertification or when there is a change in the household composition
- Decreases in the resident rent are effective the first (1st) of the month following the month in which the change is reported

The change will not be made until the third party verification is received.

PROCEDURES WHEN THE CHANGE IS NOT REPORTED BY THE RESIDENT IN A TIMELY MANNER

If the family does not report the change as described under *Timely Reporting*, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

- Increase in resident rent will be effective at time of annual recertification or retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, and may be required to sign a repayment agreement.
- Decrease in resident rent will be effective on the first of the month following completion of processing by the PHA and not retroactively.

PROCEDURES WHEN THE CHANGE IS NOT PROCESSED BY THE PHA IN A TIMELY MANNER

"Processed in a timely manner", means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the PHA in a timely manner.

Therefore, an increase will be effective after the required thirty (30) day notice prior to the first of the month after completion of processing by the PHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

F. REMAINING MEMBER OF RESIDENT FAMILY – RETENTION OF UNIT

To be considered the remaining member of the resident family, the person must have been previously approved by the PHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the family.

A reduction in family size will require a transfer to an appropriate unit size per the occupancy standards. This transfer will take place per policy and when an appropriate unit is available.

G. CHANGES IN UNIT SIZE

The PHA shall grant exceptions from the occupancy standards if the family requests and the PHA determines the exceptions are justified according to this policy.

When an approvable change in the circumstances in a resident family requires another unit size, the family's move depends upon the availability of a suitable size and type of unit. If the unit is not available at the time it is requested, the family will be placed on the *Transfer List* (see *Chapter 5 - Occupancy Guidelines*).

H. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES

Under the Non-Citizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants on June 19, 1995, shall continue receiving full assistance if they meet the following criteria:

- The head of household or co-head or spouse is a U.S. citizen or has eligible immigrant status; and
- The family does not include any person (who does not have eligible immigrant status) other than the head or spouse, or parents or children of the head, co-head or spouse

Mixed families who qualify for continued assistance after 11/29/96 may receive prorated assistance only.

If they do not qualify for continued assistance, the member(s) that cause the family to be ineligible for continued assistance may move, or the family may choose prorated assistance (See Chapter 6 – Determination of Total Tenant Payment). The PHA may no longer offer temporary deferral of termination (see *Chapter 12 - Lease Terminations).*

CHAPTER 12

LEASE TERMINATIONS

[24 CFR 966.4]

INTRODUCTION

The PHA may terminate tenancy for a family because of the family's action or failure to act in accordance with HUD regulations (24 CFR 966.4 (l)(2)), and the terms of the lease. This chapter describes the PHA's policies for notification of lease termination and provisions of the lease.

A. TERMINATION BY RESIDENT

The resident may terminate the lease by providing the PHA with a written thirty (30) days advance notice as defined in the lease agreement.

B. TERMINATION BY PHA

The lease may be terminated by the PHA at any time by giving written notice for violation of material terms of the lease, such as, but not limited to the following:

- Nonpayment of rent or other charges due under the lease, or chronic late payment of rent (late more than four times in a twelve-month period)
- Failure to pay reasonable charges (other than for normal wear and tear) for the repair of damages to the premises, project buildings, facilities, equipment, or common areas
- Failure to provide, pay for and maintain all utilities not furnished by the Housing authority
- Failure to provide timely and accurate statements of income, assets, expenses and family composition at admission, interim, special or annual rent recertification's
- Non-compliance with non-citizen rule requirements
- Discovery, after admission, of any inaccurate facts or omission of information that would have made the resident ineligible
- Use of the premises for purposes other than solely as a dwelling unit for the resident and resident's household as identified in this Lease, or permitting its use for any other purposes
- Assignment or subleasing of the premises or providing accommodation for boarders or lodgers and/or allowing previous residents that have been evicted and or had their lease terminated by the housing authority access to and/or on property or premises

- Failure to abide by posted house rules, necessary and reasonable rules and/or other notices made by the PHA for the benefit and well being of the housing development and the residents
- Alcohol abuse that the PHA determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents
- Failure to abide by applicable building and housing codes materially affecting health and/or safety
- Failure to dispose of garbage waste and rubbish in a safe and sanitary manner and/or non compliance with recycling protocol
- Failure to dispose of pet waste or control pet(s) (i.e.; use of leash, barking dog, loose cat etc.) in accordance with pet policy and agreement. Feeding or harboring stray or wild animals
- Failure to use electrical, plumbing, heating, ventilating, air conditioning and other equipment, including elevators, in a safe manner
- Acts of destruction, defacement or removal of any part of the premises, or failure to cause guests to refrain from such acts
- Failure to report criminal activity, arrests, convictions, at annual recertifications (add a self certification that resident and/or members of household have not been involved in any criminal activity
- Criminal or other activity by a member of the household that threatens the health and safety of other public housing residents in the immediate vicinity of the premises
- Criminal activity by a member of the household that threatens the health and safety of PHA staff
- The resident, any member of the resident's household, or a guest or other person under the resident's control shall not engage in drug-related or violent criminal activity, *on or off* public housing premises (as defined in the lease), while the resident resides in public housing. Such criminal activity shall be cause for termination of tenancy. The term "drug-related criminal activity" means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use, a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). If contraband or a controlled substance is seized on the above premises, incidental to a lawful search or arrest, the landlord (the PHA) will bring an unlawful detainer against that resident
- Violating a condition of probation or parole imposed under federal or state law
- Fleeing to avoid prosecution, custody, or confinement after conviction for a crime, or attempt to commit a crime that is a felony under the laws of the place from which the tenant flees
- Other good cause

C. NOTIFICATION REQUIREMENTS

The PHA's written *Notice of Lease Termination* will state the reason for the proposed termination, the date that the termination will take place, and it will offer the resident all

of the rights and protections afforded by the regulations and this policy (see *Chapter 13 - Complaints, Grievances and Appeals*).

Notices of lease termination shall be in writing and delivered to resident and all adult member(s) of the household or sent by first class mail properly addressed to resident**.** The notice shall contain a statement describing the resident's right to meet with the site manager to determine whether a reasonable accommodation would eliminate the need for a lease termination. Notice shall also be given to resident that if they are evicted and/or lease is terminated for any reason they are no longer welcome on SHRA property at any time for any reason.

TIMING OF THE NOTICE

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

- At least fourteen (14) days prior to termination in the case of failure to pay rent
- A three-day notice may be served based on the seriousness of the offense and taking into consideration the health and safety of other residents or PHA employees.
- At least thirty (30) days prior to termination in all other cases

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

DRUG RELATED CRIMINAL ACTIVITY

The PHA must immediately and permanently terminate tenancy of persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project in violation of any federal or state law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.

The PHA will terminate assistance of participants in cases where the PHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

The PHA will consider the use of a controlled substance or alcohol abuse to be a *pattern* if there is more than one incident during the previous eighteen (18) months.

The PHA may permit continued occupancy provided the family accepts imposed conditions that the involved family member(s) does not reside in the unit. The PHA will consider evidence that the person is no longer in the household such as a divorce

decree/incarceration/ death/copy of a new lease for the person including the owner's telephone number and address/or other substantiating evidence**.**

D. RECORD KEEPING

A written record of every termination and/or eviction shall be maintained by the PHA at the development office where the family was residing, and shall contain the following information:

- Name of resident, number and identification of unit occupied
- Date of the *Notice of Lease Termination* and any other notices required by state or local law; these notices may be on the same form and will run concurrently
- Specific reason(s) for the notices, citing the lease section or provision that was violated, and other facts pertinent to the issuing of the notices described in detail (other than the *Criminal History Report*)
- Date and method of notifying the resident
- Summaries of any conferences held with the resident including dates, names of conference participants, and conclusions

E. TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS

If the PHA determines that a family member has knowingly permitted an ineligible individual to reside in the family's unit on a permanent basis, the family's assistance will be terminated for thirty-six (36) months. This provision does not apply to a family if the eligibility of the ineligible individual was considered in calculating any proration of assistance provided.

CHAPTER 13

COMPLAINTS, GRIEVANCES AND APPEALS

[24 CFR 966.50-966.57]

INTRODUCTION

It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law. Therefore, the PHA has established a grievance procedure which affords all residents the opportunity to be heard when a resident disputes, within a reasonable time, any PHA action or failure to act involving the resident's lease with the PHA or PHA regulations which adversely affect the individual resident's rights, duties, welfare or status.

Grievances shall be handled in accordance with the Authority's approved grievance procedures. The written grievance procedure is incorporated into this document by reference and is the guideline to be used for grievances and appeals.

Grievance procedures are not applicable to the following issues:

- Disputes with non-residents
- Disputes between residents not involving the PHA
- Disputes between a live-in aide and the PHA
- Disputes not involving the PHA
- Certain disputes in due process states
- Class grievances

A. COMPLAINTS

It is the PHA's intention to process all complaints/issues in a timely manner. To accomplish this, the PHA has developed a process utilizing a *Tenant Management Communication Form (TMC)* through which all complaints are initiated. Residents will fill out this form stating the issue and the form will be assigned to the appropriate department. The person filing the complaint is considered the complainant for purposes of this document. The tenant will receive a copy of the form for their records and a copy will be kept at the management office at all times as documentation of the tenant's concern(s).

Complaints regarding the condition of a unit or conditions of the grounds or common areas may be reported directly by phone to the maintenance department. Anonymous complaints are checked whenever possible. The PHA requires that all other complaints be put in writing.

Complaints from families. If a family disagrees with an action or inaction of the PHA, complaints will be referred to the housing manager/property agent. Complaints regarding repairs of the units will be reported by phone to the maintenance department.

Complaints from staff. When a person reports a family is violating or has violated a lease provision or is not complying with program rules, the complaints will be referred to the supervisor.

Complaints from the general public. Complaints or referrals from persons in the community in regards to the PHA or a family will be referred to the appropriate staff for processing.

B. INFORMAL REVIEW PROCEDURES FOR APPLICANTS

PREFERENCE DENIALS

When the PHA denies a preference to an applicant, the family will be notified in writing of the specific reason(s) for the denial and offered the opportunity for a meeting with PHA staff to discuss the reasons for the denial and to dispute the PHA's decision.

The person who conducts the meeting will be an employee of the PHA who is at or above the level of housing specialist, but not the employee who made the decision**.**

ASSISTANCE DENIALS

Informal reviews are provided for applicants who are denied assistance. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to a formal hearing.

When the PHA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

- The reason(s) they are ineligible
- The procedure for requesting a review if the applicant does not agree with the decision
- The time limit for requesting a review

When denying admission for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision to deny was based.

The PHA must provide applicants with the opportunity for an informal review of decisions denying:

- Qualification for preference
- Listing on the PHA's waiting list
- Participation in the program

Informal reviews are not required for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- A determination of the family unit size under the PHA subsidy standards
- Determination that unit is not in compliance with UPCS
- Determine that unit is not in accordance with HQS due to family size or composition

PROCEDURE FOR REVIEW

A request for an informal review must be received in writing by the close of the business day, no later than ten (10) days from the date of the PHA's notification of denial. The informal review will be held within thirty (30) days from the date the request is received.

The informal review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The applicant will be given the option of presenting oral or written objections to the decision. Both the PHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

The review may be conducted by mail and/or telephone if acceptable to both parties.

A notice of the review findings will be provided in writing to the applicant within fifteen (15) days after the review. It shall include the decision of the reviewer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation and a copy of the final decision will be retained in the family's file.

C. INFORMAL REVIEW PROCEDURES FOR RESIDENTS

When a resident has a complaint or issue (not related to a Termination of Assistance Notice) and has gone through the procedure of filing a *Tenant Management Communication Form* and wants further clarification or review of a particular issue, the resident may request and informal review of that issue. This review will not be offered to a resident that has received a Termination of Assistance Notice, ie: 3 Day, 14 Day or 30 Day notices. If a resident has received a Termination of Assistance Notice and they have discussed the reasons for such termination with their manager and have not reached a resolution to the issues they must go directly to a Formal Review (see section below).

REQUEST FOR INFORMAL REVIEW

In order to request an informal review, the resident needs to present their request either orally or in writing to the area PHA office. An informal review date and time will be determined within 10 working days from receipt of the informal review request and the resident will be notified in writing of the date, time and location of the review.

Both the manager of the property where the complainant resides and a designated supervisory staff will conduct the informal review.

SUMMARY OF DISCUSSION

A summary of such discussion shall be prepared within seven (7) days from the date of the informal review and one copy shall be given to the tenant and one retained in the PHA's tenant file. The summary shall specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore.

D. FORMAL HEARING PROCEDURES FOR RESIDENTS

The PHA must provide participants with the opportunity for a formal hearing for decisions related to any of the following PHA determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment
- Appropriate utility allowance used from schedule
- Family unit size determination under PHA subsidy standards
- Determination to terminate a family's FSS contract, withholds supportive services, or proposes forfeiture of the family's escrow account.

- Termination of assistance under a 30 Day, 14 Day or 3 Day Notice

When a tenant is served a 30 Day, 14 Day or 3 Day Notice of Termination of Tenancy, the resident will be entitled to request a Formal Hearing. An informal review will not be held but the resident is strongly encouraged to contact their manager to try and resolve the issues listed in the Notice of Termination of Assistance prior to requesting a Formal Hearing. The PHA will provide the opportunity for a formal hearing before termination of assistance except when the expedited formal hearing procedures are invoked due to the nature and seriousness of the reasons that led up to the lease termination.

Formal hearings are not required for established policies and procedures and PHA determinations such as:

1. Discretionary administrative determinations by the PHA

2. General policy issues or class grievances

3. Establishment of the PHA schedule of utility allowances for families in the program

4. A PHA determination not to approve a unit or lease

5. A PHA determination that an assisted unit is not in compliance with UPCS (PHA must provide hearing for family breach of UPCS because that is a family obligation determination)

6. PHA determination that the unit is not in accordance with UPCS because of the family size

REQUEST FOR A FORMAL HEARING

In order to request an formal hearing, the complainant must personally present a grievance orally or in writing to the resident's housing office within ten (10) days of service of a Notice of Action or seven (7) days from receipt of a Notice of Summary of Discussion of the informal review, if one was held. The written request shall specify:

1. The reasons for the grievance

2. The action or relief sought

SELECTING THE HEARING OFFICER [966-55]

The grievance hearing shall be conducted by an impartial person or persons appointed by the PHA, other than a person who made or approved the PHA action under review or a subordinate of such person.

The PHA will use the “Professional Services Procurement Process” to determine the most qualified hearing officer, and will consult with the resident organizations before PHA appointment of a hearing officer or panel. ,

Conduct of Formal Hearing

The Formal Hearing Officer is an unbiased individual who is not an employee but contracted by the PHA. The Formal Hearing Officer will accept relevant information from the PHA and from the resident/resident’s representative sufficient to arrive at a decision to either grant the relief sought by the tenant or allow the termination of the lease or other proposed adverse action to proceed. A written result of the hearing will be issued within fourteen (14) calendar days. All Formal Hearings are electronically recorded.

NOTIFICATION OF HEARING

When the PHA receives a request for a formal hearing, a hearing shall be held within thirty (30) days from the receipt of the request for formal hearing. The notification of hearing will contain:

1. The date and time of the hearing
2. The location where the hearing will be held
3. The family's right to bring evidence, witnesses, legal or other representation at the family's expense
4. The right to view any documents or evidence in the possession of the PHA upon which the PHA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents or evidence must be received no later than five (5) days before the hearing date
5. A notice to the family that the PHA will request a copy of any documents or evidence the family will use at the hearing. Requests for such documents or evidence must be received no later than five (5) days before the hearing date

The PHA's Formal Hearing Procedures

After a hearing date is agreed to, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the PHA within forty-eight (48) hours, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

1. Present written or oral objections to the PHA's determination
2. Examine the documents in the file which are the basis for the PHA's action, and all documents submitted to the hearing officer
3. Copy any relevant documents at their expense
4. Present any information or witnesses pertinent to the issue of the hearing
5. Request that PHA staff be available or present at the hearing to answer questions pertinent to the case
6. Be represented by legal counsel, advocate, or other designated representative at their own expense as long as the PHA is notified.

If the family requests copies of documents relevant to the hearing, the PHA will make the copies for the family and assess a fee according to the Charge & Fee Schedule. In no case will the family be allowed to remove the file from the PHA's office.

In addition to other rights contained in this chapter, the PHA and the resident has a right to:

- Present evidence and any information pertinent to the issue of the hearing
- Be notified if the family intends to be represented by legal counsel, advocate, or another party no later than 5 days in advance of the hearing
- Examine and copy any documents to be used by the family prior to the hearing
- Have its attorney present
- Have staff persons and other witnesses familiar with the case present

The formal hearing shall be conducted by the hearing officer appointed by the PHA who is neither the person who made or approved the decision, nor a subordinate of that person. The PHA appoints hearing officers who are professional mediators or arbitrators contracted and paid for by the PHA.

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment without good cause or deadline ordered by the hearing officer, the action of the PHA shall take effect and another hearing will not be granted.

The hearing officer will determine whether the action, inaction or decision of the PHA is legal in accordance with HUD regulations and this ACOP based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the hearing findings shall be provided in writing to the PHA and the family within fourteen (14) days and shall include:

1. A clear summary of the decision and reasons for the decision
2. If the decision involves money owed, the amount owed and documentation of the calculation of monies owed
3. Notice that the Code of Civil Procedure, Sect 1094.6 governs the time within which judicial review must be sought
4. The date the decision goes into effect
5. If the PHA is upheld by the hearing decision a notice of termination of subsidy will be sent effective thirty (30) days from the date of the notice

EFFECT OF DECISION

Except as provided below, the decision of the hearing officer shall be binding on the PHA. The PHA shall take all actions, or refrain from any actions, necessary to carry out the decision unless the Sacramento Housing and Redevelopment Agency Commission determines, within a reasonable time and promptly notifies the resident of its determination.

The PHA is not bound by hearing decisions:

- Which concern matters in which the PHA is not required to provide an opportunity for a hearing
- Which conflict with or contradict to HUD regulations or requirements
- Which conflict with or contradict federal, state or local laws
- Which exceed the authority of the person conducting the hearing

The PHA shall send a letter to the participant if it determines the PHA is not bound by the hearing officer's determination within ten (10) days. The letter shall include the PHA's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file (except for hearings involving reasonable accommodations, which are kept in a separate file).

If the hearing officer's decision upholds the PHA's decision to evict the resident, the PHA will proceed with filing an unlawful detainer.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the PHA hearing is pending but assistance to an applicant may be delayed pending the PHA hearing.

INS DETERMINATION OF INELIGIBILITY

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or resident within ten days of their right to appeal to the INS within thirty (30) days or to request an formal hearing with the PHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause.

The request for a hearing must be made to the PHA within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen (14) days of receipt of that notice.

After receipt of a request for a formal hearing, the hearing is conducted as described in the "Formal Hearing" section of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the PHA will:

- Deny the applicant family
- Defer termination if the family is a participant and qualifies for deferral
- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide

- Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination
- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of the resident's Total Tenant Payment (TTP)
- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud

F. EXPEDITED GRIEVANCE PROCEDURE

The PHA shall exercise its right to exclude the most serious lease violations from the grievance procedures. This includes:

- Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the PHA; or
- Any violent or drug-related criminal activity on or off such premises; or
- Any criminal activity that resulted in felony conviction of a household member

RESIDENT'S RIGHT TO TRIAL DE NOVO AND JUDICIAL REVIEW

Nothing contained in the PHA's grievance procedure shall constitute a waiver of the resident's right to a trial de novo or judicial review in any court action.

CHAPTER 14

FAMILY DEBTS TO THE PHA

INTRODUCTION

This chapter describes the PHA's policies for the recovery of monies that have been underpaid by families. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the PHA's policy to meet the informational needs of families, and to communicate the program rules in order to avoid family debts. Before a debt is assessed against a family, the file must contain documentation to support the PHA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the family or other interested parties.

When families owe money to the PHA, the PHA will make every effort to collect it. The PHA will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits / Judgments
- Payment agreements
- Collection agencies
- Credit bureaus / entries
- Income tax off-set programs
- Referral to the state Office of the Attorney General
- Referral to the Inspector General's Office

A. PAYMENT AGREEMENT FOR FAMILIES

A payment agreement is a document entered into between the PHA and a person who owes a debt to the PHA. It contains details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the PHA upon default of the agreement.

The maximum length of time the PHA will enter into a payment agreement with a family is twelve (12) months, unless otherwise specified.

The minimum monthly amount of monthly payment for any payment agreement is twenty-five dollars ($25).

LATE PAYMENTS

A payment will be considered to be late if:

- The payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day

It is at the discretion of the PHA to enter in a repayment agreement but, there may be some circumstances in which the PHA will not enter into a payment agreement.

Such as:

- If the family already has a payment agreement in place
- If the PHA determines that the family has committed program fraud

GUIDELINES FOR PAYMENT AGREEMENTS

With supervisor approval and verification of the hardship, the monthly payments may be decreased in cases of family hardship upon request by the family. Also, monthly payments may be increased dependent upon the family income increases.

B. DEBTS DUE: FRAUD/NON-REPORTING OF INFORMATIONN

HUD's definition of program fraud and abuse is a single act or pattern of actions that constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead.

FAMILY ERROR / LATE REPORTING

Families who owe money to the PHA due to the family's unintentional failure to report increases in income will be required to repay in accordance with the guidelines in the payment schedule section of this chapter.

PROGRAM FRAUD

The PHA has a zero tolerance policy for program fraud. If a family commits intentional program fraud, the PHA will initiate eviction proceedings immediately. Families who commit program fraud will be required to repay the amount in full within 10 days. If the full amount is paid within this time period, the family will be able to leave housing without an eviction record.

If a family owes an amount, which equals or exceeds $5,000 as a result of program fraud, the case will be referred to the Office of the Inspector General. Where appropriate, the PHA will refer the case for criminal prosecution.

C. WRITING OFF DEBTS

All debts will be referred for collection. Debts will be written off if:

- The debtor is deceased and has no recoverable assets
- The debtor is confined to an institution indefinitely and has no recoverable assets
- The amount is less than one hundred dollars ($100) and debtor cannot be located

CHAPTER 15

COMMUNITY SERVICE AND SELF-SUFFICIENCY

INTRODUCTION

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

A. PROGRAM REQUIREMENTS

The performance of eight (8) hours per month may be either volunteer work or self-sufficiency program activity, or a combination of the two.

Community Service – volunteer work, which includes, but is not limited to:

- Work at a local institution including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.
- Work with a non-profit organization that serves PHA residents or their children such as: Boy Scouts, Girl Scouts, Boys or Girls clubs, 4-H program, PAL, Garden Center, Community clean-up programs, beautification programs, other youth or senior organizations
- Helping neighborhood groups with special projects
- Working through resident organization to help other residents with problems, serving as an officer on a Resident Committee, serving on the Resident Advisory Board
- Caring for the children of other residents so that they may volunteer

NOTE: Political activity is excluded.

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

- Job readiness or job training programs
- GED classes
- Substance abuse or mental health counseling
- English proficiency or literacy (reading) classes
- Apprenticeships
- Budgeting and credit counseling
- Any kind of class that helps a person toward economic independence

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

Family obligations:

At lease execution and at each annual reexamination, all adult members of a public housing resident family must:

- Sign a certification that they have received and read this policy and understand that if they are not exempt, failure to comply with the community service requirement will result in non-renewal of their lease
- Family members who are exempt are required to complete and sign the Community Services Exemption checklist
- At each annual reexamination, non-exempt family members must present a completed certification form (provided by the PHA), signed by the party administering the qualifying activities, certifying that the qualifying activities were performed over the previous twelve (12) months.

B. PHA RESPONSIBILITIES

- Whenever possible, the PHA will provide names and agency contacts that can provide opportunities for residents to fulfill their community service obligations
- The PHA will provide families with a Community Services Exemption checklist and Recording / Certification forms (non-exempt families only) and a copy of this policy at lease execution
- The PHA will make the final determination as to whether or not a family member is exempt from the community service requirement. Residents may use the PHA's grievance procedure (see chapter 13 – *Complaints, Grievances and Appeals*) if they disagree with the determination.

C. EXEMPT ADULTS

Public Housing residents are exempt if they are:

- 62 years of age or older or will turn 62 prior to the next determination
- Blind or disabled as defined under 216 (I)(1) or 1614 of the Social Security Act (42 U.S. C. 416 I): 1382 c), and who certify that because of this disability he or she is unable to comply with the service requirement:
- A primary caretaker of a blind or disabled person, even if the blind or disabled person is not a resident of public housing;
- Working at least twenty (20) hours per week or engaged in work activities as defined in Section 407 (d) of the Social Security Act;

- Exempt from the work requirements for a state welfare program, including Welfare-to-Work;
- A parent home Schooling their child(ren)
- Receiving Temporary Assistance for Needy Families (TANF) assistance and have not been found to be in non-compliance with TANF or other work requirements.
  Note: Any members of the family receiving benefits or services under TANF are exempt.

NON-COMPLIANCE OF FAMILY MEMBERS

If the PHA determines that there is a family member who is required to fulfill a service requirement, but who has violated this family obligation, the PHA will send, at least 30 days prior to the end of the lease, a notice to the resident describing the noncompliance.

The lease will end unless:

- The family provides proof that the non-compliant resident is no longer in the unit or
- The non-compliant family member and the Head of Household sign an agreement with the PHA to make up the deficient hours over the next twelve-(12) month period. The makeup agreement will stipulate how many hours each month must be made up. Staff will monitor month- to-month to ensure that the family member is complying with the agreement. Non-compliance with the makeup agreement will result in termination. A 30-day notice will be provided.

The resident may request a grievance hearing regarding the PHA determination of non-compliance and may exercise any available judicial remedy to seek timely redress for the PHA's non-renewal of the lease due to such determination.

CHAPTER 16

GLOSSARY

I. TERMS USED IN DETERMINING RENT

ANNUAL INCOME [24 CFR 5.609]

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

- The full amount before any payroll deductions, of wages and salaries, overtime pay, commissions fees, tips and bonuses, and other compensation for personal services.
- The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight-line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business.
- Interest, dividends, and other net income of any kind from real or personal property.
- Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for the straight-line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property.
- When the family has net family assets in excess of $5,000, annual income shall include the greater of the actual income derived from all net family assets, or a percentage of the value of such assets based on the current passbook savings rate as determined by HUD.
- 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.

- Payments in lieu of earnings, such as unemployment and disability compensation, workers' compensation, and severance pay.
- All welfare assistance payments received by or on behalf of any family member. [24 CFR 913.106(b)(6)] contains rules applicable to "as-paid" States.
- Periodic and determinable allowances, such as alimony and child care support payments, and regular cash contributions or gifts received from persons not residing in the dwelling.
- All regular pay, special pay and allowances of a member of the Armed Forces (except special pay to a family member serving the Armed Forces who is exposed to hostile fire).

EXCLUSIONS FROM ANNUAL INCOME [24 CFR 5.609]

- Annual income does not include the following:
- Income from the employment of children (including foster children) under the age of 18 years;
- Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident's family, who are unable to live alone);
- 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 property losses;
- Amounts received by the family that are specifically for or in reimbursement of the cost of medical expenses for any family member.
- Income of a live-in aide provided the person meets the definition of a live-in aide.
- The full amount of student financial assistance paid directly to the student or the educational institution.
- The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- Amounts received under HUD funded training programs (e.g. Step-up program); excludes stipends, wages, transportation payments and childcare vouchers for the duration of the training.
- Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self Sufficiency (PASS).
- Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out of pocket expenses incurred for items such as special equipment, clothing, transportation and childcare, to allow participation in a specific program.

- Amount received as a resident services stipend. A modest amount (not to exceed $200 per month) received by a public housing resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in public housing. Such services may include but are not limited to fire patrol, hall monitoring, lawn maintenance, and resident initiative coordination. No resident may receive more than one such stipend during the same period of time.
- 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 family members as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment-training program.
- Temporary, non-recurring, or sporadic income (including gifts).
- Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. (For all initial determinations and reexaminations of income on or after April 23, 1993.)
- Earnings in excess of $480 for each full-time student 18 years old or older, (excluding the head of household and spouse).
- Adoption assistance payments in excess of $480 per adopted child.
- The earnings and benefits to any resident resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988 (42 U.S.C. 1437 et seq.), or any comparable Federal, State or local law during the exclusion period. For purposes of this paragraph the following definitions apply:
- Comparable Federal, State or local law means a program providing employment training and supportive services that: (1) is authorized by a Federal, State or local law; (2) is funded by the Federal, State or local government; (3) is operated or administered by a public agency; and (4) has as its objective to assist participants in acquiring job skills.
- Exclusion period means the period during which the resident participates in a program as described in this section plus 18 months from the date the resident begins the first job acquired by the resident after completion of such program that <u>is not</u> funded by public housing assistance under the U.S. Housing Act of 1937. If the resident is terminated from employment without good cause, the exclusion period shall end.
- Earnings and benefits mean the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

- Deferred periodic payments from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- 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.
- Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
- Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion.
- The following benefits are excluded by other Federal Statute as of August 3, 1933:
- The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977;
- Payments to volunteers under the Domestic Volunteer Service Act of 1973; examples of programs under this Act include but are not limited to:
- The Retired Senior Volunteer Program (RSVP)
- Foster Grandparent Program (FGP)
- Senior Companion Program (SCP)
- Older American Committee Service Program

NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS SUCH AS:

- VISTA
- Peace Corps
- Service Learning Program
- Special Volunteer Programs

SMALL BUSINESS ADMINISTRATION PROGRAMS SUCH AS:

- National Volunteer Program to Assist Small Businesses
- Service Corps of Retired Executives
- Payments received under the Alaska Native Claims Settlement Act. [43 USC 1626 (a)]

- Income derived from certain sub marginal land of the United States that is held in trust for certain Indian tribes. [25 USC 459e]
- Payments or allowances made under the Department of HHS' Low Income Home Energy Assistance Program. [42 USC 8624 (f)]
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 USC 1552 (b)
- Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540).
- The first $2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC. 1407-08), or from funds held in trust for an Indian Tribe by the Secretary of Interior.
- Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs. [20 USC 1087 uu] Examples: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College-Work Study, and Byrd Scholarships.
- Payments received under programs funded under Title V of the Older Americans Act of 1965 [42 USC 3056 (f)] Examples include Senior Community Services Employment Program, National Caucus Center on the Black Aged, National Urban League; Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb.
- Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established in the In-Re Orange Product Liability litigation.
- The value of any childcare provided or arranged (or any amount received as payment for such care or reimbursement for costs of incurred in such care) under the Childcare and Development Block Grant Act of 1990. (42 USC 9858q)
- Earned income tax credit refund payments received on or after January 1, 1991. (26 USC 32)(j).
- Living allowances under AmeriCorps Program (Nelson Diaz Memo to George Latimer 11/15/94)

ADJUSTED INCOME

The definition for adjusted income is annual income, less allowable HUD deductions.

Qualified families are eligible for the following:

Childcare Expenses: A deduction of amounts anticipated to be paid by the family for the care of children under 13 years of age for the period for which the annual income is computed. Childcare expenses are only allowable when such care is necessary to enable a family member to be gainfully employed or to further his/her education. Amounts deducted must be un-reimbursed expenses and shall not exceed: (1) The amount of income earned by the family member released to work or (2) an amount determined to be reasonable by the PHA when the expense is incurred to permit education.

DEPENDENT DEDUCTION: An exemption of $480 for each member of the family residing in the household (other than the head or spouse, live-in aide, foster child) who is under eighteen years of age or who is eighteen years of age or older and disabled, Disabled, or a full-time student.

DISABLED EXPENSES: A deduction of un-reimbursed amounts paid for attendant care or auxiliary apparatus expenses for Disabled family members where such expenses are necessary to permit a family member(s), including the Disabled/disabled member to be employed. In no event may the amount of the deduction exceed the employment income earned by the family member(s) freed to work.

Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for visually Disabled, and equipment added to cars and vans to permit use by the Disabled or disabled family member.

> **FOR NON-ELDERLY FAMILIES AND ELDERLY FAMILIES WITHOUT MEDICAL EXPENSE:** The amount of the deduction equals the cost of all un-reimbursed expenses for Disabled care and equipment less three percent of annual income, provided the amount so calculated does not exceed the employment income earned.
>
> **FOR ELDERLY FAMILIES WITH MEDICAL EXPENSES:** The amount of the deduction equals the cost of all un-reimbursed expenses for Disabled care and equipment less three percent of annual income, (provided the amount does not exceed earnings) plus medical expenses as defined below.
>
> **FOR ELDERLY AND DISABLED FAMILIES ONLY:**
>
> **MEDICAL EXPENSES:** A deduction of un-reimbursed medical expenses, including insurance premiums anticipated for the period for which annual income is computed. Medical expenses include, but are not limited to: services of physicians and other health care professionals, services of health care facilities; insurance premiums, including the cost of Medicare), prescription and non-prescription medicines, transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of family members), and payments on accumulated medical bills. To be considered by the PHA for the purpose of determining a deduction from the income, the expenses claimed must be verifiable.

FOR ELDERLY FAMILIES WITHOUT DISABLED EXPENSES: The amount of the deduction shall equal total medical expenses less 3% of annual income.

FOR ELDERLY FAMILIES WITH BOTH DISABLED AND MEDICAL EXPENSES: The amount of Disabled assistance is calculated first, then medical expenses are added.

ELDERLY/DISABLED HOUSEHOLD EXEMPTION: An exemption of $400 per household.

II. GLOSSARY OF HOUSING TERMS

ABANDONMENT OF A PUBLIC HOUSING UNIT: without advising PHA Officials so that staff may secure the unit and protect its property from vandalism.

ACCESSIBLE DWELLING UNITS: When used with respect to the design, construction or alteration of an individual dwelling unit, means that the unit is located on an accessible route, and when designed, constructed, or altered, can be approached, entered, and used by individuals with physical handicaps. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR 8.32 & 40, (the Uniform Federal Accessibility Standards) is "accessible" within the meaning of this paragraph.

ACCESSIBLE FACILITY: All or any portion of a facility other than an individual dwelling unit used by individuals with physical handicaps.

ACCESSIBLE ROUTE: For persons with mobility impairment, a continuous, unobstructed path that complies with space and reaches requirements of the Uniform Federally Accessibility Standards.

Uniform Federal Accessibility Standards (UFAC). For persons with hearing or vision impairments, the route need not comply with requirements specific to mobility.

ADAPTABILITY: Ability to change certain elements in a dwelling unit to accommodate the needs of Disabled and non-Disabled persons or ability to meet the needs of persons with different types and degrees of disability.

ADULT: A human being after an age (as 21) specified by law.

ADMISSION: Admission to the program is the effective date of the lease. The point at which a family becomes a resident.

ALLOCATION PLAN: The plan submitted by the PHA and approved by HUD under which the PHA is permitted to designate a building, or portion of a building, for occupancy by Elderly Families or Disabled Families.

ANNUAL INCOME AFTER ALLOWANCES: The Annual Income (described above) less the HUD-approved allowances.

APPLICANT (or applicant family): A family that has applied for admission to a program, but is not yet a participant in the program.

"AS-PAID" STATES: States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS: (See Net Family Assets.)

AUXILIARY AIDS: Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs and activities.

BEYOND NORMAL WEAR AND TEAR" is defined as items, which could be charged against the resident's security deposit under state law or court practice.

CO-HEAD: An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a Co-head or Spouse, but not both. A co-head never qualifies as a dependent.

COMPLAINANT: Any resident whose grievance is presented to the authority or a site/management office, informally, or as part of the informal hearing process.

COVERED FAMILIES: The statutory term "covered families" designates the universe of families who are required to participate in a welfare agency economic self-sufficiency program and may, therefore, be the subject of a welfare benefit sanction for noncompliance with this obligation. "Covered families" means families who receive welfare assistance or other public assistance benefits from a State or other public agency under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

CRIMINAL ACTIVITY: Includes any criminal activity that threatens the health, safety or right to peaceful enjoyment of the resident's public housing premises by other residents or employees of the PHA.

CREDIBLE EVIDENCE: Evidence by a credible source, without 'hearsay'. Standards of proof, beyond reasonable doubt.

DEPENDENT: A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Disabled Person, or is a full-time student 18 years of age or older.

DESIGNATED FAMILY: The category of family for whom the PHA elects to designate a project (e.g. elderly family in a project designated for elderly families) in accordance with the 1992 housing Act. (24 CFR 945.105)

DISABILITY: is used where "handicap" was formerly used.

DISABILITY ASSISTANCE EXPENSE: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and or auxiliary apparatus for a disabled family member and that are necessary to enable a

family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

DISABLED PERSON: A person who is any of the following:

A person who has a disability as defined in section 223 of the Social Security Act. (42 USC 423).

A person who has a physical, mental, or emotional impairment that:

Is expected to be of long-continued and indefinite duration;

Substantially impedes his or her ability to live independently; and

Is of such a nature that ability to live independently could be improved by more suitable housing conditions.

A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

DISABLED FAMILY: A family 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.

DISALLOWANCE: Exclusion from annual income.

DISPLACED FAMILY: A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster relief laws.

DISPLACEMENT PREFERENCE: The displacement preference may be defined to include applicants who can document that they have been displaced by a natural disaster declared by the President of the United States, or displaced, or through no fault of their own, by governmental action. If appropriate, the preference can also be expanded to include applicants being displaced by private actions.

DOMICILE: The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG: A controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

DRUG-RELATED CRIMINAL ACTIVITY: Term means: is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or us e a controlled substances (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Drug related criminal activity means on or of the premises, not just on or near the premises.

Drug-trafficking; or

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)).

DRUG TRAFFICKING: The illegal manufacture, sale, distribution or the possession with intent to manufacture, sell, or distribute a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ECONOMIC SELF-SUFFICIENCY PROGRAM: Any program designed to encourage, assist, train, or facilitate the economic independence of assisted families or to provide work for such families. Economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, any other program necessary to ready a participant to work (such as: substance abuse or mental health treatment. Economic self-sufficiency program includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). See the definition of work activities at Sec. 5.603(c). The new definition of the term "economic self-sufficiency program" is used in the following regulatory provisions, pursuant to the Public Housing Reform Act: family income includes welfare benefits reduced because of family failure to comply with welfare agency requirements to participate in an economic self-sufficiency program; and the requirement for public housing residents to participate in an economic self-sufficiency program or other eligible activities.

ELDERLY FAMILY: A family whose head of household, spouse or sole member is at lease 62 years of age, or two or more persons at lease 62 years of age living together, or one or more persons at lease 62 years of age living with one or more live-in aides.

ELDERLY AND DISABLED FAMILY: A family whose head or spouse or whose sole member is at least 62 years, or two or more persons who are at least 62 years of age or a disabled person. It may include two or more elderly, disabled persons living together or one or more such persons living with another person who is determined to be essential to his/her care and well being.

ELDERLY PERSON: A person who is at least 62 years old.

ELEMENTS OF DUE PROCESS: An eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required.

- Adequate notice to the resident of the grounds for terminating the tenancy and for eviction;
- Opportunity for the resident to examine all relevant documents, records, and regulations of the Authority prior to the trial for the purpose of preparing a defense;
- Right of the resident to be represented by counsel;
- Opportunity for the resident to refute the evidence presented by the Authority including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the resident may have; and
- A decision on the merits of the case.

ELIGIBLE FAMILY (Family): A family is defined by the PHA in the Admission and Continued Occupancy Plan.

EMANCIPATED MINORS: To release from paternal care and responsibility having full legal rights or capacity.

ENGAGED IN OR ENGAGING: Drug related criminal activity means any act within the past 5 years by applicants or participants, household members, or guests which involved drug-related criminal activity including, without limitation, drug-related criminal activity, possession and/or use of narcotic paraphernalia, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

"Engaged in or engaging in or recent history of" criminal activity means any act within the past5 ~~3~~ years by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES: Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25% of the Annual Income. It is no longer used.

EXCESSIVE COST BURDEN: Paying more than 50 percent of monthly adjusted income for shelter.

EXCESS MEDICAL EXPENSES: Any medical expenses incurred by elderly families only in excess of 3% of Annual Income which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY: A family whose income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

FALSIFYING AN APPLICATION FOR LEASING: including verbalizing or otherwise providing false information about family income and size, using an alias on the application for housing, or making any other material false statement or omission intended to mislead

FAMILY: The applicant must qualify as a family as defined by the PHA. The term “Family” is used interchangeably with “applicant”, “resident”, or “participant” and can refer to a single-person family.

FAMILY OF VETERAN OR SERVICEPERSON: A family is a "family of veteran or serviceperson" when:

The veteran or serviceperson (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.

The veteran or serviceperson, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized provided that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM): The program established by a PHA to promote self-sufficiency of assisted families, including the provision of supportive services.

FLAT RENT: Rent for a public housing dwelling unit that is based on the market rent. The market rent is the rent charged for comparable units in the private, unassisted rental market at which the PHA could lease the public housing unit after preparation for occupancy.

FOSTER CHILDCARE PAYMENT: Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT: A person who is attending school or vocational training on a full-time basis.

GRIEVEANCE: Any dispute which a resident may have with respect to a Housing Authority action or failure to act in accordance with the individual resident's lease or Authority regulations which adversely affect the individual resident's rights, duties, welfare, or status.

GROSSLY UNSANITARY OR HAZARDOUS HOUSEKEEPING: includes the creation of a fire hazard through acts such as hoarding rags, papers, or other materials. It also includes severe damages to premises and equipment, if it is established that the family is responsible for the conditions that may seriously affect neighbors by causing infestation and foul odors. Also included is the depositing garbage in halls or serious neglect of the premises. This category does not include families whose housekeeping is found to be superficially unclean or due to lack of orderliness, where such conditions do not create a problem for neighbors.

GUEST: A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant

HCV: Housing Choice Voucher Program.

HEAD OF HOUSEHOLD: The person who assumes legal and financial responsibility for the household and is listed on the application as head.

HEARING OFFICER/HEARING PANEL: A person or persons selected in accordance with this grievance procedure to hear grievances and render a decision with respect thereto.

HOUSEHOLD: Household (eligible household_ means an elderly or disabled household (as defined in HUD Sec. 891.205 or 891.305, respectively), as applicable, that meets the project occupancy requirements approved by HUD and, if the household occupies an assisted unit, meets the very low-income requirements.

HOUSING AGENCY: A state, country, municipality or other governmental entity or public body authorized to administer the program. The term "HA" includes an Indian housing authority (IHA). ("PHA" and "HA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974: The Act in which the U.S. Housing Act of 1937 was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PLAN: A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING AUTHORITY OF THE CITY AND COUNTY OF SACRAMENTO: is referred to as “PHA” or “Housing Authority” or “HA” or the “Authority”, throughout this document.

HOUSING QUALITY STANDARDS (HQS): The HUD minimum quality standards for housing assisted under the Public Housing and Section 8 programs.

HUD: The Department of Housing and Urban Development or its designee.

HUD REQUIREMENTS: HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

HURRA: The Housing and Urban/Rural Recovery Act of 1983 legislation that resulted in most of the 1984 HUD Regulation changes to the definition of income, allowances, and rent calculations.

IMPUTED ASSET: Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME: HUD passbook rate times the total cash value of assets, when assets exceed $5,000.

IMPUTED WELFARE INCOME The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income. This amount is included in family annual income and, therefore, reflected in the family rental contribution based on this income.

INCOME: Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME-BASED RENT: The tenant rent paid to the PHA that is based on family income and the PHA rental policies. The PHA uses a percentage of family income or some other reasonable system to set income-based rents. The PHA has broad flexibility in deciding how to set income-based rent for its Residents. However, the income-based tenant rent plus the PHA's allowance for tenant paid utilities may not exceed the "total tenant payment" as determined by a statutory formula.

INCOME FOR ELIGIBILITY: Gross annual income.

INCOME TARGETING: The HUD admissions requirement that PHAs not admit less than the number required by law of families whose income does not exceed 30% of the area median income in a fiscal year.

INDIAN: Any person recognized as an Indian or Alaska Native by an Indian Tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA): A housing agency established either:

By exercise of the power of self-government of an Indian Tribe, independent of State law, or

By operation of State law providing specifically for housing authorities for Indians.

INITATING THREATS: Behaving in a manner, which indicates intent to assault employees or other residents.

INTEREST REDUCTION SUBSIDIES: The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

INVOLUNTARILY DISPLACED PERSON: Involuntarily Displaced Applicants are applicants who meet the HUD definition for the local preference, formerly known as a federal preference.

INVOLUNTARY DISPLACEMENT: Applicants who can document that they have been displaced by a natural disaster declared by the President of the United States, or displaced, or through no fault of their own by governmental action. If appropriate, the preference can also be expanded to include applicants being displaced by private actions.

LANDLORD: Either the legal owner of the property, or the owner's representative or managing agent as designated by the owner. Refers to the PHA.

LATE FEE: Charges assessed if monthly rent payments are not paid in full by the first (1st) business day after the fifth(5th) day of each month, in accordance with the Authority's Schedule of Fees and Charges.

LATE RENT: Monthly rent payments not paid in full by the first (1st) business day after the fifth (5th) day of each calendar month.

LEASE: A written agreement between an owner and an eligible family for the leasing of a housing unit.

LIVE-IN AIDE: A person who resides with an elderly person or disabled person and who:Is determined to be essential to the care and well being of the person, and is not obligated for the support of the person, and would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE: A preference used by the PHA to select among applicant families without regard to their date and time of application.

LOW-INCOME FAMILY: A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. For admission to the certificate program, HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.

MARKET RENT: The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES: Those total medical expenses anticipated during the period for which Annual Income is computed, and which is not covered by insurance. (Only Elderly Families qualify) The allowances are applied when medical expenses exceed 3% of Annual Income.

MINIMUM RENT: An amount established by the PHA between zero and $50.00.

MINOR: A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MONTHLY ADJUSTED INCOME: 1/12 of the Annual Income after Allowances.

MONTHLY INCOME: 1/12 of the Annual Income before allowances.

NEAR-ELDERLY FAMILY: A family whose head, spouse, or sole member is at least 50, but less than 62 years of age. The term includes two or more near-elderly persons living together and one or more such persons living with one or more live-in aides.

NET FAMILY ASSETS: The net cash value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

NONCITIZENS RULE: Refers to the regulation effective June 19, 1995, restricting assistance to U.S. citizens and eligible immigrants.

NON PAYMENT OF RENT: If the monthly rent is not paid by the first (1st) business day after the fifth (5th) day of each calendar month, a fourteen (14) day notice to pay rent or quit and or a three (3) day notice to pay rent or quit running concurrently will be issued.

NON PAYMENT OF RIGHTFUL OBLIGATIONS: Including rent and/or utilities and other charges owed to the PHA.

OCCUPANCY STANDARDS (Now referred to as Subsidy Standards): Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OTHER CRIMINAL ACTIVITY: A history of criminal activity involving crimes of actual or threatened violence to persons or property, or a history of other criminal acts, conduct or behavior which would adversely affect the health, safety, or welfare of other residents.

OTHER PERSON UNDER THE TENANT'S CONTROL (COVERED PERSON): The person, although not staying as a guest in the unit is, or was at the time of activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

PARTICIPANT: A family that has been admitted to the PHA program, and is currently assisted in the program.

PATTERN OF ALCHOL ABUSE: Includes a determination by the PHA that the pattern of alcohol abuse might interfere with the applicant's health, safety or right to peaceful enjoyment of the premises by other residents.

PATTERN OF DRUG USE: Includes a determination by the PHA that the applicant has exhibited a pattern of illegal use of a controlled substance, which might interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

PATTERN OF VIOLENT BEHAVIOR: Includes evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.

PERSON WITH DISABILITIES:

1. A person who has a disability, as defined in 42 U. S. C. 423, and is determined, under HUD regulations, to have a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration, substantially impedes

the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

2. A person who has a developmental disability as defined in 42 U.S.C. 6001.
3. An "individual with handicaps", as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities
4. Does not exclude persons who have AIDS or conditions arising from AIDS
5. Does not include a person whose disability is based solely on any drug or alcohol dependence (for low income housing eligibility purposes)

PREMISES: The building or complex in which the dwelling unit is located including common areas and grounds.

PREPONDERANCE OF EVIDENCE: Evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence is not determined by the number of witnesses, but by the greater weight of all evidence.

PREVIOUSLY UNEMPLOYED: Includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

PUBLIC ASSISTANCE: Welfare or other payments to families or individuals based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA): A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term "PHA" includes an Indian housing authority (IHA). ("PHA" and "HA" mean the same thing.)

QUALIFIED FAMILY: A family residing in public housing whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment; or increased earnings by a family member during participation in any economic self-sufficiency or on the job training program; or new employment or increased earnings of a family member, during or within 6 months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the PHA in consultation with the local TANF agency and Welfare to Work programs. TANF includes income and benefits & services such as one time payments, wage subsidies & transportation assistance, as long as the total amount over a 6-month period is at least $500.

QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998: The Act, which amended the U.S. Housing Act of 1937 and is known as the Public Housing Reform Bill.

The Act is directed at revitalizing and improving HUD's Public Housing and Section 8 assistance programs.

RECERTIFICATION: Sometimes called re-examination. The process of securing documentation of total family income used to determine the rent the resident will pay for the next 12 months if no interim changes are reported by the family.

RECORD OF SERIOUS DISTURBANCES OF NEIGHBORS, DESTRUCTION OF PROPERTY OR OTHER DISRUPTIVE OR DANGEROUS BEHAVIOR: Consists of patterns of behavior, which endanger the life, safety, or welfare of other persons by physical violence, gross negligence or irresponsibility. This includes behavior which damages the equipment or premises in which the applicant resides, or which is seriously disturbing to neighbors or disrupts sound family and community life, indicating the applicant's inability to adapt to living in a multi-family setting. This also includes judicial termination of tenancy in previous housing on the grounds of nuisance or objectionable conduct, or frequent loud parties, which have resulted in serious disturbances of neighbors.

REMAINING MEMBER OF RESIDENT FAMILY: Person left in assisted housing after other family members have left and become unassisted.

RESIDENCY PREFERENCE: A local preference for admission of persons who reside in a specified geographic area.

RESIDENT: Refers to participants in terms of their relation as a lessee to the PHA as the landlord. A lessee or the remaining head of household of any resident family residing in housing accommodations owned or leased by the PHA.

RESPONSIBLE ENTITY: For the public housing, Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY: The Secretary of Housing and Urban Development.

SECURITY DEPOSIT: A dollar amount which can be collected from the family by the owner upon termination of the lease and applied to unpaid rent, damages or other amounts owed to the owner under the lease according to State or local law.

SELF CERTIFICATION: A notarized statement or affidavit statement under penalty of perjury

SERVICE PERSON: A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON: A person living alone or intending to live alone who is not disabled, elderly, or displaced, or the remaining member of a resident family.

SPECIFIED WELFARE BENEFIT REDUCTION: Those reductions of welfare agency benefits (for a covered family) that may not result in a reduction of the family rental contribution. "Specified welfare benefit reduction" means a reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the

welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE: Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage.

SUBSIDIZED PROJECT: A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or

Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or

Direct loans pursuant to Section 202 of the Housing Act of 1959; or

Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;

Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;

A Public Housing Project.

SUBSIDY STANDARDS: Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

TENANT (Synonymous with resident): The person or person's who executes the lease as lessee of the dwelling unit.

TENANT RENT: The amount payable monthly by the family as rent to the PHA.

TOTAL TENANT PAYMENT (TTP): The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UPCS: UNIFORM PHYSICAL CONDITION STANDARDS

UNIT/HOUSING UNIT: Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero bedrooms to six bedrooms.

UTILITIES: Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, and trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE: The PHA's estimate of the average monthly utility bills for an energy-conscious household. If all utilities are included in the rent, there is no utility allowance. The utility allowance will vary by unit size and type of utilities.

UTILITY REIMBURSEMENT PAYMENT: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VERY LARGE LOWER-INCOME FAMILY: Prior to the change in the 1982 regulations this was described as a lower-income family which included eight or more minors. This term is no longer used.

VERY LOW INCOME FAMILY: A Low-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

VETERAN: A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

WAIT POOL: A list of families organized, according to application receipt, date and time, that are in the process of being determined eligible for subsidy.

WAITING LIST: A list of families organized according to HUD regulations and PHA policy that are waiting for subsidy to become available.

WELFARE ASSISTANCE: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, state, or local governments. **"**Welfare assistance" means income assistance from Federal or State welfare programs, and includes only cash maintenance payments designed to meet a family's ongoing basic needs. The definition borrows from the Department of Health and Human Services' TANF definition of "assistance" and excludes nonrecurring short-term benefits designed to address individual crisis situations. For FSS purposes, the following do not constitute welfare assistance: food stamps; emergency rental and utilities assistance; and SSI, SSDI, and Social Security.

III. GLOSSARY OF TERMS USED IN THE NON-CITIZENS RULE

CHILD: A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN: A citizen or national of the United States.

EVIDENCE: Evidence of citizenship or eligible immigration status means the documents, which must be submitted to evidence citizenship or eligible immigration status.

PHA (A Housing Authority): Either a public housing agency or an Indian housing authority or both.

HEAD OF HOUSEHOLD: The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD: Department of Housing and Urban Development.

INS: The U.S. Immigration and Naturalization Service.

MIXED FAMILY: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

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

PHA: A housing authority who operates Public Housing.

RESPONSIBLE ENTITY: The person or entity responsible for administering the restrictions on providing assistance to non-citizens with ineligible immigration status (the PHA).

SECTION 214: Section 214 restricts HUD from making financial assistance available for non-citizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE: Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

CHAPTER 17

PROGRAM INTEGRITY ADDENDUM

INTRODUCTION

The US Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental subsidy than they are entitled to under the law. HUD further estimates that twelve (12) percent of all HUD-assisted families are either totally ineligible, or are receiving benefits that exceed their legal entitlement. The PHA is committed to assure that the proper level of benefits is paid to all residents, and that housing resources reach only income-eligible families so that program integrity is maintained.

The PHA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This chapter outlines the PHA's policies for the prevention, detection and investigation of program abuse and resident fraud.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the PHA undertake an inquiry or an audit of a resident family arbitrarily. The PHA's expectation is that resident families will comply with HUD requirements, provisions of the lease, and other program rules. The PHA staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the PHA has a responsibility to HUD, to the community, and to eligible families in need of housing assistance, to monitor residents' lease obligations for compliance and, when indicators of possible abuse come to the PHA' s attention, to investigate such claims.

The PHA will initiate an investigation of a resident family only in the event of one or more of the following circumstances:

> **REFERRALS, COMPLAINTS, OR TIPS:** The PHA will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a resident family is in non-compliance with, or otherwise violating the lease or the program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the resident file.
>
> **INTERNAL FILE REVIEW:** A follow-up will be made if PHA staff discovers (as a function of a [re]certification, an interim redetermination, or a quality control review), information or facts which conflict with previous file data, the PHA's knowledge of the family, or is discrepant with statements made by the family.

VERIFICATION OR DOCUMENTATION: A follow-up will be made if the PHA receives independent verification or documentation which conflicts with representations in the resident file (such as public record information or credit bureau reports, reports from other agencies).

B. STEPS THE PHA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The management and occupancy staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and resident families. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by resident families.

THINGS YOU SHOULD KNOW: This program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the PHA's expectations for cooperation and compliance.

PROGRAM ORIENTATION SESSION: Mandatory orientation sessions will be conducted by the Housing Manager/Property Agent for all prospective residents either prior to or upon execution of the lease. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign a "Program Briefing Certificate" to confirm that all rules and pertinent regulations were explained to them.

RESIDENT COUNSELING: The PHA will routinely provide resident counseling as a part of every recertification interview in order to clarify any confusion pertaining to program rules and requirements.

REVIEW AND EXPLANATION OF FORMS: Staff will explain all required forms and review the contents of all (re)certification documents prior to signature.

USE OF INSTRUCTIVE SIGNS AND WARNINGS: Instructive signs will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse

TENANT CERTIFICATION: All family representatives will be required to sign a "Tenant Certification" form, as contained in HUD's Tenant Integrity Program Manual.

C. STEPS THE PHA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The PHA Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

QUALITY CONTROL FILE REVIEWS: Prior to initial certification, and at the completion of all subsequent recertifications, each resident file will be reviewed. Such reviews shall include, but are not limited to:

- Changes in reported Social Security Numbers or dates of birth.
- Authenticity of file Documents.
- Ratio between reported income and expenses
- Review of signatures for consistency with previously signed file documents.

OBSERVATION: The PHA Management and Occupancy Staff (to include maintenance personnel) will maintain high awareness of circumstances that may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income.

PUBLIC RECORD BULLETINS: May be reviewed by Management and Staff.

STATE WAGE DATA RECORD KEEPERS: Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart B. McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or unemployment compensation benefits

CREDIT BUREAU INQUIRIES: Credit Bureau inquiries may be made (with proper authorization by the resident) in the following circumstances:

At the time of final eligibility determination

When an allegation is received by the PHA wherein unreported income sources are disclosed.

When a resident's expenditures exceed his/her reported income, and no plausible explanation is given.

D. THE PHA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The PHA staff will encourage all resident families to report suspected abuse to the Housing Authority Supervisor**.** All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the resident file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up. The Housing Authority Supervisor will not follow up on allegations that are vague or otherwise non-specific. The will only review allegations which contain one or more independently verifiable facts.

FILE REVIEW: An internal file review will be conducted to determine:

If the subject of the allegation is a resident of the PHA and, if so, to determine whether or not the family has previously disclosed the information reported.

It will then be determined if the PHA is the most appropriate authority to do a follow-up (more so than police or social services). Any file documentation of past behavior as well as corroborating complaints will be evaluated.

CONCLUSION OF PRELIMINARY REVIEW: If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the Housing Authority Supervisor will initiate an investigation to determine if the allegation is true or false.

E. HOW THE PHA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the PHA determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file or a person designated by the Executive Director to monitor the program compliance will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the PHA will secure the written authorization from the program participant for the release of information.

CREDIT BUREAU INQUIRIES: In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.

VERIFICATION OF CREDIT: In cases where the financial activity conflicts with file data, a Verification of Credit form may be mailed to the creditor in order to determine the unreported income source.

EMPLOYERS AND EX-EMPLOYERS: Employers or ex-employers may be contacted to verify wages that may have been previously undisclosed or misreported.

Neighbors/Witnesses: Neighbors and/or other witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the PHA's review.

OTHER AGENCIES: Investigators, caseworkers or representatives of other benefit agencies may be contacted.

PUBLIC RECORDS: If relevant, the PHA will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.

INTERVIEWS WITH HEAD OF HOUSEHOLD OR FAMILY MEMBERS: The PHA will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate PHA office. The PHA Staff Person who conducts such interviews will maintain a high standard of courtesy and professionalism. Under no circumstances will the management tolerate inflammatory language, accusation, or any unprofessional conduct or language. If possible, an additional staff person will attend such interviews.

F. PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE PHA

Documents and other evidence obtained by the PHA during the course of an investigation will be considered "work product" and will either be kept in the resident file, or in a separate "work file." In either case, the resident file or work file shall be kept in a locked file cabinet. Such cases under review will not be discussed among PHA Staff unless they are involved in the process, or have information that may assist in the investigation.

G. CONCLUSION OF THE PHA'S INVESTIGATIVE REVIEW

At the conclusion of the investigative review, the reviewer will report the findings to the Executive Director or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

H. Evaluation of the Findings

If it is determined that a program violation has occurred, the PHA will review the facts to determine:

The type of violation. (Procedural, non-compliance, fraud.)

Whether the violation was intentional or unintentional.

The amount of money (if any) is owed by the resident.

Is the family eligible for continued occupancy?

I. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the PHA will propose the most appropriate remedy based upon the type and severity of the violation.

PROCEDURAL NON-COMPLIANCE

This category applies when the resident "fails to" observe a procedure or requirement of the PHA, but does not misrepresent a material fact, and there is no retroactive rent owed by the family. Examples of non-compliance violations are:

Failure to appear at a pre-scheduled appointment.

Failure to return verification in time period specified by the PHA.

Warning Notice to the Family: In such cases a notice will be sent to the family, which contains the following:

- A description of the non-compliance and the procedure, policy or obligation which was violated.
- The date by which the violation must be corrected, or the procedure complied with.
- The action, which will be taken by the PHA if the procedure or obligation is not complied with by the date specified by the PHA.
- The consequences of repeated (similar) violations.

PROCEDURAL NON-COMPLIANCE - RETROACTIVE RENT

When the resident owes money to the PHA for failure to report changes in income or assets, the PHA will issue a Notification of Underpaid Rent. This Notice will contain the following:

A description of the violation and the date(s).

Any amounts owed to the PHA.

A 10 day response period.

The right to disagree and to request an informal hearing with instructions for the request of such hearing.

RESIDENT FAILS TO COMPLY WITH PHA'S NOTICE: If the resident fails to comply with the PHA's notice, and a material provision of the lease has been violated, the PHA will initiate termination of tenancy.

RESIDENT COMPLIES WITH PHA'S NOTICE: When a resident complies with the PHA's notice, the staff person responsible will meet with him/her to discuss and explain the obligation or lease provision which was violated. The staff person will complete a Resident Counseling Report, give one copy to the family and retain a copy in the resident file.

INTENTIONAL MISREPRESENTATIONS

When a resident falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an underpayment of rent by the resident, the PHA will evaluate whether or not:

The resident had knowledge that his/her actions were wrong, and

That the resident willfully violated the lease or the law.

KNOWLEDGE THAT THE ACTION OR INACTION WAS WRONG: This will be evaluated by determining if the resident was made aware of program requirements and prohibitions. The resident's signature on various certifications, briefing certificate, Personal Declaration and *Things You Should Know* are adequate to establish knowledge of wrongdoing.

THE RESIDENT WILLFULLY VIOLATED THE LAW: Any of the following circumstances will be considered adequate to demonstrate willful intent:

An admission by the resident of the misrepresentation.

That the act was done repeatedly.

If a false name or Social Security Number was used.

If there were admissions to others of the illegal action or omission.

That the resident omitted material facts, which were known to them (e.g., employment of self or other household member).

That the resident falsified, forged or altered documents.

That the resident uttered and certified to statements at a rent (re) determination which were later independently verified to be false.

THE RESIDENT HEARING FOR SERIOUS VIOLATIONS AND MISREPRESENTATIONS

When the PHA has established that material misrepresentation(s) have occurred, a ***Resident Hearing*** will be scheduled with the family representative and the PHA staff person who is most knowledgeable about the circumstances of the case.

This hearing will take place prior to any proposed action by the PHA. The purpose of such hearing is to review the information and evidence obtained by the PHA with the resident, and to provide the resident an opportunity to explain any document findings which conflict with representations in the resident file. The PHA will take any documents or mitigating circumstances presented by the resident into consideration. The resident will be given 10 days to furnish any mitigating evidence.

A secondary purpose of the Resident Hearing is to assist the PHA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed action, the PHA will consider:

The duration of the violation and number of false statements.

The resident's ability to understand the rules.

The resident's willingness to cooperate, and to accept responsibility for his/her actions

The amount of money involved.

The resident's past history

Whether or not criminal intent has been established

The number of false statements

DISPOSITIONS OF CASES INVOLVING MISREPRESENTATIONS

In all cases of misrepresentations involving efforts to recover monies owed, the PHA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

CRIMINAL PROSECUTION: If the PHA has established criminal intent, and the case meets the criteria for prosecution, the PHA may:

- Terminate tenancy
- Refer the case to the local State or District Attorney, notify HUD's RIGI, and terminate rental assistance.

ADMINISTRATIVE REMEDIES: The PHA may:

Terminate tenancy and demand payment of restitution in full.

Terminate tenancy and pursue restitution through civil litigation.

Permit continued occupancy at the correct rent and execute a repayment agreement in accordance with the PHA's repayment policy.

Notification to Resident of Proposed Action

The PHA will notify the resident of the proposed action no later than 10 days after the resident hearing by certified mail.

CODE OF CONDUCT

The Housing Authority of the City and County of Sacramento strives to conduct business in accordance with core values and ethical standards. Professional conduct, ethical practices and adherence to all laws, regulations, and government codes are expected by all employees at all times. To ensure compliance with these standards, the following policies have been established:

PROHIBITED ACTIVITIES:

1. Employees shall not engage in any employment, activity, or enterprise for compensation, which is inconsistent, incompatible, in conflict with, or inimical to his or her duties, functions, or responsibilities in a position with the Housing Authority. Employees shall not perform any work, service or counsel for compensation outside of the agency where any part of his/her efforts will be subject to approval by any other officer, employee, board, or commission of this Housing Authority.

2. Prohibited activities shall include but not be limited to:

    a. Acceptance of money or other consideration from anyone other than the Housing Authority for the performance of duties required or expected of him/her in the regular course of Housing Authority employment.

    b. Performance of an act in other than his/her capacity as an officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee of the Housing Authority.

    c. Any act wherein time demands would render performance of his or her duties as an officer or employee less efficient and productive.

    d. Embezzlement and falsification of accounts as defined in the California Penal Code.

CONFLICT OF INTEREST POLICY

1. To avoid potential conflicts of interest, or the appearance of such, it is the policy of this Housing Authority that:

    A. No employee shall enter into any agreement, written or unwritten, without prior approval from the Executive Director or his designee, that involves any direct payment or other form of compensation as a result of any program administered by this Housing Authority, either directly or indirectly, through agreements with other parties.

    B. No employee, officer, or agent of the Housing Authority shall participate directly or indirectly in the selection, award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a in the execution of a contract or in Housing Authority program participation is held by:

        (1) An employee, officer, or agent involved in making the award;

(2) The relative of such a person (including, but not limited to, father, other, Son, daughter, brother, sister, uncle, aunt, first cousin, father-in-law, mother in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);
(3) The partner of such a person; or,
(4) An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

THE CONSEQUENCES OF RULE VIOLATIONS:

Any violation of prohibited activities shall be handled as for the acts set out under Section 2.I. (3) of the agency's personnel policies on Discipline, Dismissal, and Review.