

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

PHA Plans

5 Year Plan for Fiscal Years 2008 – 2012

Revised Annual Plan for Fiscal Year 2008

Approved by BOC on October 11, 2008

Submitted to HUD October 16, 2007

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

HUD 50075
OMB Approval No: 2577-0226
Expires: 03/31/2002

**PHA Plan
Agency Identification**

PHA Name: The Housing Authority of the City and County of Denver

PHA Number: CO001

PHA Fiscal Year Beginning: 01/ 2008

Public Access to Information

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

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

Display Locations For PHA Plans and Supporting Documents

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

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

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

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

5-YEAR PLAN
PHA FISCAL YEARS – 2008 - 2012
[24 CFR Part 903.5]

A. Mission

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

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

B. Goals

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

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)
 - Increase customer satisfaction:
 - Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
 - Renovate or modernize public housing units:
 - Demolish or dispose of obsolete public housing:
 - Provide replacement public housing:

- Provide replacement vouchers:
- Other: (list below)

PHA Goal: Increase assisted housing choices

Objectives:

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

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

PHA Goal: Provide an improved living environment

Objectives:

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

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

PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- Increase the number and percentage of employed persons in assisted families:
- Provide or attract supportive services to improve assistance recipients' employability:
- Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- Other: (list below)

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

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

Other PHA Goals and Objectives: (list below)

The following goals and objectives are excerpts form the DHA Strategic Plan as they relate to Public Housing and the Section 8 Program.

Goal One: Manage DHA’s existing Public Housing program in an efficient and effective manner.

Objectives:

1. DHA shall strive to maintain a high performer status under HUD’s Public Housing Assessment System.
2. DHA shall strive to make its public housing units more marketable to the community annually.
3. DHA shall strengthen its leadership and management skills and operational processes to maintain accountability and productivity under HUD’s Public Housing Assessment System.
4. DHA will strive to implement an asset management model on or before December 2008.
5. DHA will strive to become a participant in the HUD Move to Work Program.

Goal Two: Provide a reasonably safe and secure environment, in DHA’s public housing developments.

Objectives:

1. DHA shall strive to reduce crime in its developments annually.
2. DHA shall attempt to strengthen its relationship with the local office of the HUD Office of the Inspector General.
3. DHA shall strive to more aggressively screen applicants by December 31, 2008.
4. DHA shall strengthen its relationship with local law enforcement and participate fully in crime reduction efforts through conferences and site specific contacts.

Goal Three: Expand the range and quality of housing choices available to participants in DHA's public housing and homeownership program, without depleting existing DHA assets.

Objectives:

1. DHA shall promote, coordinate and encourage the opportunity for long-term self-sufficiency of families by providing and/or brokering education, training, employment and other related services.
2. DHA shall strive to increase its affordable housing stock.
3. DHA shall strive to increase the number of residents in its homeownership program annually.
4. DHA shall strive to integrate a portion of its public housing into a mixed-income community.
5. DHA shall strive to convert a portion of its public housing portfolio to project-based assistance.
6. DHA shall strive to provide project-based vouchers to a mixed-income community utilizing tenant-based vouchers.

Goal Four: Promote income deconcentration in family developments and surrounding neighborhoods, as well as racial and ethnic diversity to affirmatively further fair housing in DHA developments.

Objectives:

1. DHA shall utilize scattered site units interspersed in economically diverse neighborhoods.
2. DHA shall strive to maintain all covered developments within the Established Income Range (EIR).
3. DHA shall utilize various incentive programs at covered developments to encourage families to accept units at developments outside the EIR.

Goal Five: DHA will explore all possible avenues for restoration, replacement and rehabilitation of public housing units.

Objectives:

1. DHA shall implement the HUD approved Energy Performance Contract.
2. DHA shall explore and implement, where possible, leveraging (i.e., securitization, mortgage, leveraging, etc.) options for the Capital Fund and Replacement Housing Fund.
3. DHA shall implement the Second Increment Capital Fund Replacement Housing Factor.
4. DHA shall develop a replacement for the ACC eligible units available to DHA through acquisition and/or development.

Goal Six: DHA will strive to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault or stalking.

Objectives:

1. DHA shall ensure that such victims have meaningful access to the criminal justice system without jeopardizing their housing assistance.
2. DHA shall build collaborations among victim service providers to provide appropriate services, interventions and training to address the needs of such victims.
3. DHA shall respond appropriately to such victims, while maintaining a safe environment for all housing residents.

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

Streamlined Plan:

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

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

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

See Attachment 7.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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

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Attachments

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

Required Attachments:

- Admissions Policy for Deconcentration (Attachment 1, Admissions and Occupancy Terms and Policies of the Housing Authority of the City and County of Denver, §2.19)
- FY 2008 Capital Fund Program Annual Statement (Attachment 4)
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
- Voluntary Conversion Initial Assessments (Attachment 8)

Optional Attachments:

- PHA Management Organizational Chart (Attachment 11)
- FY 2008 Capital Fund Program 5 Year Action Plan (Attachment 4)
- 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)
Public Housing Admissions and Occupancy Terms and Policies (Attachment 1);
Section 8 Housing Programs Administrative Plan (Attachment 2); Resident Advisory Board (Attachment 5); Comments – Public Hearing (Attachment 6);

Executive Summary (Attachment 7); Family Housing Pet Policy (Attachment 9);
 Certifications (Attachment 10); and DHA Organization Chart (Attachment 11).

Supporting Documents Available for Review

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
X	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program <input checked="" type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
	The most recent Public Housing Drug Elimination Program	Annual Plan: Safety and

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	(PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
X	Income Analysis of Public Housing Covered Developments	Annual Plan – Deconcentration
X	Documentation – Voluntary Conversion Required Initial Assessments	Annual Plan – Conversions
X	Public Housing Physical Needs Assessment Notebook	Annual Plan: Capital Needs
X	Capital Fund Replacement Housing Factor Plan First Increment and Second Increment	Annual Plan: Capital Needs
X	Multifamily Housing Section 8 Project Based Assistance Tenant Selection Policy	Annual Plan

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

Housing Needs of Families in the Jurisdiction by Family Type*							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	38,019	5	N/A	N/A	N/A	N/A	N/A
Income >30% but <=50% of AMI	30,156	3-5	N/A	N/A	N/A	N/A	N/A
Income >50% but <80% of AMI	41,276	5	N/A	N/A	N/A	N/A	N/A
Elderly	25,053	3	N/A	N/A	N/A	N/A	N/A
Families with Disabilities	107,382	5	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity – Black Non-Hispanic	14,471	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity - Hispanic	36,877	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity - White Non-Hispanic	78,472	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity							

*This data was not changed for 2008. The City and County of Denver’s Consolidated Plan and the Census information were not updated; consequently, DHA could not update this section.

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: 2003
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- American Housing Survey data
Indicate year:
- Other housing market study

Indicate year:

Other sources: (list and indicate year of information) U.S. Census Data Census 2000, Summary File

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.

PUBLIC HOUSING

Housing Needs of Families on the Pre-Waiting List as of July 16, 2007			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	Public Housing ¹		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	1,209		Not Available
Extremely low income <=30% AMI	1,039	85.9%	
Very low income (>30% but <=50% AMI)	157	13%	
Low income (>50% but <80% AMI)	13	1.1%	
Families with children ¹	879	72.7%	
Elderly families ²	332	27.5%	

¹ DHA opens and closes its waiting lists several times during the year. This method allows DHA to administer the waiting list in a more fair and humane manner. Opening the waiting list for a short period of time shortens the length of time that an individual or family must wait for housing. We believe that long waiting lists create false hope among applicants. This system also eliminates the administrative burden of lengthy and unmanageable waiting lists that contain several thousand names and must constantly be purged because the information becomes dated. Therefore, the information contained in this table was developed from these interest cards. The waiting list information is presented in the table below.

² Note that families may be counted in more than one of these categories; therefore, the totals will be greater than 100%.

Housing Needs of Families on the Pre-Waiting List as of July 16, 2007			
Families with Disabilities ²	159	13.2%	
Other Families	12	1%	
Race/ethnicity	Not available	Not available	
Race/ethnicity	Not available	Not available	
Race/ethnicity	Not available	Not available	
Race/ethnicity	Not available	Not available	
Characteristics by Bedroom Size (Public Housing Only)	Not available		
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes: How long has it been closed (# of months)?)? It opens and closes several times a year. Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

**Housing Needs of Families on the Waiting List
as of July 16, 2007**

Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	197		Not available
Extremely low income <=30% AMI	154	78.2%	
Very low income (>30% but <=50% AMI)	34	17.3%	
Low income (>50% but <80% AMI)	9	4.6%	
Families with children ²	150	76.1%	
Elderly families ²	28	14.2%	
Families with Disabilities ²	39	19.8%	
Other Families	3	1.5%	
Race/ethnicity – American Indian	2	1%	
Race/ethnicity Asian	8	4.1%	
Race/ethnicity – Black	88	44.7%	
Race/ethnicity – White	80	40.6%	
Race/ethnicity – Hispanic	18	9.1%	
Hawaiian and Pacific Islander	1	.5%	
Characteristics by Bedroom Size (Public Housing Only)	Number of Units	% of Total Units	Annual Turnover

² Note that families may be counted in more than one of these categories; therefore, the totals will be greater than 100%.

Housing Needs of Families on the Waiting List as of July 16, 2007			
0 BR	89	2.6%	7
1 BR	930	26.7%	178
2 BR	1099	31.6%	192
3 BR	953	27.4%	214
4 BR	383	11%	83
5 BR	27	.8%	10
5+ BR			
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? It opens and closes several times a year. ³			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

CURTIS PARK HOPE VI

Housing Needs of Families on the Waiting List as of July 16, 2007			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing ¹			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input checked="" type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	172		
Extremely low income <=30% AMI	171	99.4%	
Very low income (>30% but <=50% AMI)	1	.6%	

³ DHA opens and closes its waiting lists several times during the year. This method allows DHA to administer the waiting list in a more fair and humane manner. Opening the waiting list for a short period of time shortens the length of time that an individual or family must wait for housing. We believe that long waiting lists create false hope among applicants. This system also eliminates the administrative burden of lengthy and unmanageable waiting lists that contain several thousand names and must constantly be purged because the information becomes dated. Therefore, the information contained in this table was developed from these interest cards. The waiting list information is presented in the table above.

Housing Needs of Families on the Waiting List as of July 16, 2007			
Low income (>50% but <80% AMI)	0	0%	
Families with children	11	6.4%	
Elderly families	2	1.2%	
Families with Disabilities	5	2.9%	
Other Families	154	89.5%	
Race/ethnicity Black	16	9.3%	
Race/ethnicity Hispanic	155	90.1%	
Race/ethnicity White	1	.6%	
Characteristics by Bedroom Size (Public Housing Only)	Number of Units	% of Total Units	Annual Turnover
0 BR	0	0%	0
1BR	41	30.4%	7
2 BR	69	51.1%	
3 BR	25	18.5%	10
4 BR	0	0%	1
5 BR	0	0%	0
5+ BR	N/A		0
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? 1			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

C. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships

- Adopt rent policies to support and encourage work
 - Other: (list below)
- Allocate 40 public housing units for housing the homeless

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)

SECTION 8

Housing Needs of Families on the Waiting List Section 8 Lottery Pool as of July 16, 2007			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/sub jurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	7,928		Not available
Extremely low income <=30% AMI	Not available	Not available	
Very low income (>30% but <=50% AMI)	Not available	Not available	
Low income (>50% but <80% AMI)	Not available	Not available	
Families with children	Not available	Not available	
Elderly families	Not available	Not available	
Families with Disabilities	Not available	Not available	
Other families	Not available	Not available	
Race/ethnicity	Not available	Not available	
Race/ethnicity	Not available	Not available	
Race/ethnicity	Not available	Not available	
Race/ethnicity	Not available	Not available	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	Not available	Not available	
2 BR	Not available	Not available	
3 BR	Not available	Not available	
4 BR	Not available	Not available	
5 BR	Not available	Not available	
5+ BR	Not available	Not available	

**Housing Needs of Families on the Waiting List
Section 8 Lottery Pool
as of July 16, 2007**

Is the waiting list closed (select one)? No Yes, Section 8 conducts a lottery at least once during the year. Lottery interest cards are submitted by interested families. A random drawing is conducted and families whose lottery interest card is drawn are given the opportunity to complete an application.

If yes:

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

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

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

C. Strategy for Addressing Needs

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

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)
Allocate assistance to 50 homeless families

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

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

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community

- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year.

Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants		
a) Public Housing Operating Fund	\$12,000,000	Public Housing eligible purposes
b) Public Housing Capital Fund and Replacement Housing Factor Funding	\$12,000,000	Capital Fund eligible purposes
c) HOPE VI Revitalization	\$2,600,000	HOPE VI Grant eligible purposes
d) HOPE VI Demolition	\$0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$55,000,000	Section 8 eligible expenses
f) Public Housing Drug Elimination Program	\$0	
g) Resident Opportunity and Self-Sufficiency Grants	\$1,000,000	Public Housing Supportive Services
h) Community Development Block Grant	\$500,000	CDBG, eligible activities
i) HOME	\$500,000	HOME eligible activities
Other Federal Grants (list below)		
Service Coordinator Grant	\$100,000	Coordinate services for elderly and disabled.
Neighborhood Networks Program Grant	\$200,000	Public Housing Supportive Services
Shelter Care Grant	0	Administer HAP Payments.
2. Prior Year Federal Grants (unobligated funds only) (list below)	All prior year grants are committed.	

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
3. Public Housing Dwelling Rental Income	\$8,400,000	Public Housing operations, safety/security and supportive services per 24 CFR 990.116.
4. Other income (list below)		
Interest Income	\$600,000	Public Housing – operations, safety/security, supportive services; and Section 8 tenant-based assistance and supportive services or other.
Excess utilities income	\$150,000	
Non-dwelling rent	\$100,000	
Other Late charges, vending machines, service charges, and program income.	\$300,000	Public Housing – operations, safety/security, supportive services; and Section 8 tenant-based assistance and supportive services or other.
Park Avenue HOPE VI Mixed-Finance Development Sources (projected for fiscal year 2008)	\$15,000,000	Public Housing HOPE VI Mixed-Income Revitalization purposes
CFFP financing proceeds and related development sources for the Three Towers modernization project	\$27,000,000	Public Housing Rehabilitation
Energy Performance Contract	\$6,000,000	Public Housing Energy Conservation
5. Non-federal sources (list below)		
Youth Opportunity Grant (Mayor’s Office of Work and Development)	\$100,000	Provide opportunities to public housing youth
Total Resources	\$141,550,000	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

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

(1) Eligibility

- a. When does the PHA verify eligibility for admission to public housing? (select all that apply)
- When families are within a certain number of being offered a unit: (state number)
 - When families are within a certain time of being offered a unit: (state time)
 - Other: (describe) **Verification of eligibility is determined at the time of application.**
- b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?
- Criminal or Drug-related activity
 - Rental history
 - Housekeeping
 - Other (describe)
- c. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- e. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2)Waiting List Organization

- a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)
- Community-wide list
 - Sub-jurisdictional lists
 - Site-based waiting lists
 - Other (describe)
- b. Where may interested persons apply for admission to public housing?
- PHA main administrative office
 - PHA development site management office
 - Other (list below)

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

1. How many site-based waiting lists will the PHA operate in the coming year?
Six site-based waiting lists (See Attachment 1, Section 2.22 and 2.23)

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?
Three-Mulroy Apartments, Walsh Annex and Hirschfeld Tower

3. Yes No: May families be on more than one list simultaneously
If yes, how many lists?
All Community-wide lists and each site-based list.

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)

1. **Villages at Curtis Park
Lincoln Properties
2855 Arapahoe
Denver, CO 80205**

2. **Benedict Park Place
Ross Management Group
2300 Court Place #108
Denver, Colorado 80205**

3. **Thomas Bean Towers
2350 Cleveland Place
Denver, Colorado 80205**

4. **Hirschfeld Tower
333 West Ellsworth
Denver, Colorado 80223**

5. **Walsh Annex
1775 West Mosier
Denver, Colorado 80223**

**6. Mulroy Apartments
3550 West 13th Avenue
Denver, Colorado 80204**

(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)

Life-threatening situation.

Employment, education, or training is dependent upon the need to be closer to a specific location.

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)
 - (a) 40 Transitional homeless families annually
 - (b) Working Families and those unable to work because of age or disability
 - (c) Employment Incentive
 - (d) Education or Employment Training

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

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)
 - (1) 40 Transitional homeless families referred annually
 - (2) Working Families and those unable to work because of age or disability
 - (3) Employment Incentive
 - (4) Education or Employment Training

DHA will give preference to forty (40) homeless transitional families annually for 10 years for a total of 400 units. These families will be referred by agencies providing case management services to the homeless in the City and County of Denver. DHA will apply its existing screening criteria to referred families and reserves the right to decline a family based on those standards.

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

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

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

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

(6) Deconcentration and Income Mixing

Pursuant to Notice PIH 2001-4 issued January 19, 2001, these questions have been replaced. DHA's response to the new questions can be found in Section 18D.

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) **Damage claim information, eviction information and any other information deemed appropriate.**

(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: **Extensions may be approved as a reasonable accommodation for persons with disabilities, which must be approved by the 504 Coordinator. In order for the client to request a reasonable accommodation, the client must follow the Reasonable Accommodation in Housing Guidelines. Upon the client's request, Section 8 will provide the Reasonable Accommodation forms to the client.**

(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)

Local Selection Preferences for Section 8 Program

- (a) Chronically mentally ill as defined in *Arevalo, et al. v. City and County of Denver*.
- (b) Colorado Coalition for the Homeless
- (c) Catholic Charities of Denver
- (d) Atlantis Program
- (e) Colorado Health Network
- (f) DHA Displacement and Relocation Program

Section 8 local selection preferences shall have the order of priority listed above.

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)
 - (1) Chronically mentally ill as defined in *Arevalo, et al. v. City and County of Denver*.
 - (2) Colorado Coalition for the Homeless
 - (3) Catholic Charities of Denver
 - (4) Atlantis Program
 - (5) Colorado Health Network
 - (6) DHA Displacement and Relocation Program

Section 8 local selection preferences shall have the order of priority listed above.

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
- DHA does not have a waiting list for the section 8 program. Applicants are selected by lottery.

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:

(See Attachment 1, Section 2.28 (3))

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

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

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

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

- For the earned income of a previously unemployed household member
- For increases in earned income
- Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

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

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

DHA has adopted the following permissive deductions:

1. Any child support payment made by a member of the family for the support and maintenance of any child who does not reside in the household.
2. Amount received by a person while employed as a DHA Resident Caretaker which will be subject to the 10% Rent Rule.
3. Amount of income received by all family members whose head-of-household is employed as a Resident Caretaker will be subject to the 10% Rent Rule. This income is deducted during the term of the Resident Caretaker Contract.

e. Ceiling rents

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

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

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

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

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

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

f. Rent re-determinations:

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

- Never
- At family option
- Any time the family experiences an income increase
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) \$200.00/month.
- Other (list below)
 - Any change in family composition.

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

(2) Flat Rents

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

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

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

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

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

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

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

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

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

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

- Annually
- Other (list below)

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

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

(2) Minimum Rent

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

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

b. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (See Attachment 2, Section 4.13)

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. (Attachment 11)
- A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	3,617	782
Section 8 Vouchers	5,504	400
Section 8 Certificates		
Section 8 Mod Rehab	140	20
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		
Section 8 Project Based Assistance	628	101

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)

- a. Housing Management Maintenance Policy
- b. Housing Management Procedural Manual

(3) Section 8 Management: (list below)

- a. Occupancy Manual
- b. Move Manual
- c. Re-Examination Manual
- d. Vendor Manual

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing

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

If yes, list additions to federal requirements below:

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

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

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

- PHA main administrative office
 Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

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

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (Attachment 3)

-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 (Attachment 4)

-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: Curtis Park and Arapahoe Courts
2. Development (project) number: CO06P001009 and CO06P001004
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

1. Development name: Arrowhead Apts. and Thomas Bean Towers
2. Development (project) number: CO06P001031 and CO06P001029
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:

- 1) Arrowhead Apts. and Thomas Bean Towers – HOPE VI Mixed-Finance Development.
- 2) Three Towers (Hirschfeld Tower, Mulroy Apartments and Walsh Annex) Capital Fund Grant Securitization

- 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:

Capital Fund Replacement Housing Grant.

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: Walsh Manor Annex 1b. Development (project) number: CO06P001021
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: 15/12/06
5. Number of units affected: 100
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: 02/01/07 b. Projected end date of activity: 30/12/09

Demolition/Disposition Activity Description	
1a. Development name:	John R. Mulroy Apartments
1b. Development (project) number:	CO06P001017
2. Activity type:	Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one)	Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission:	15/12/06
5. Number of units affected:	50
6. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: 02/01/07 b. Projected end date of activity: 30/12/08

Demolition/Disposition Activity Description	
1a. Development name:	Vacant land at 2690 W. Asbury (Vacant Land)
1b. Development (project) number:	CO06P001026
2. Activity type:	Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one)	Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Disposition pending Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission:	30/06/08
5. Number of units affected:	0
6. Coverage of action (select one)	<input checked="" type="checkbox"/> Part of the development (single site) <input type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: 30/12/08 b. Projected end date of activity: 30/09/09

Demolition/Disposition Activity Description
1a. Development name: Arrowhead Homes 1b. Development (project) number: CO06P001031
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Disposition pending Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: 06/03/02
5. Number of units affected: 50
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: 31/03/03 b. Projected end date of activity: 31/12/09

Demolition/Disposition Activity Description
1a. Development name: 3062 West 37 th Avenue (Vacant Land) 1b. Development (project) number: CO99-P001-043
2. Activity type: Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Disposition pending Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission: 30/06/08
5. Number of units affected: 0
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: 30/12/08 b. Projected end date of activity: 30/06/09

Demolition/Disposition Activity Description	
1a. Development name:	Hirschfeld Tower
1b. Development (project) number:	CO06-P001-015
2. Activity type:	Demolition <input type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one)	Approved <input checked="" type="checkbox"/> Submitted, pending approval, Disposition pending <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission:	30/06/06
5. Number of units affected:	250
6. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	a. Actual or projected start date of activity: 01/01/07 b. Projected end date of activity: 31/01/09

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:	Walsh Manor
1b. Development (project) number:	CO06P001014
2. Designation type:	Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one)	Approved; included in the PHA’s Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission:	04/06/07
5. If approved, will this designation constitute a (select one)	<input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected:	89
7. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Designation of Public Housing Activity Description	
1a. Development name:	North Lincoln Mid-Rise
1b. Development (project) number:	CO06P001053
2. Designation type:	Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one)	Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission:	04/06/07
5. If approved, will this designation constitute a (select one)	<input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
8. Number of units affected:	75
9. 7. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Designation of Public Housing Activity Description	
1a. Development name:	Barney Ford
1b. Development (project) number:	CO06P001016
2. Designation type:	Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one)	Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission:	04/06/07
5. If approved, will this designation constitute a (select one)	<input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
10. Number of units affected:	81
11. 7. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)	
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)	
4. Status of Conversion Plan (select the statement that best describes the current status)	
<input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway	
5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)	
<input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved:	

- 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. See Attachment 8 (co001n01.doc) Voluntary Conversion Initial Assessments.

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

2. Activity Description

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

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

B. Section 8 Tenant Based Assistance

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

If yes, list criteria below:

(See Attachment 2, Section 10)

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (1)]

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

***DHA has been designated a High Performing PHA.**

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)

Preference for 14 ROSS public housing residents (if funded) to Section 8 Homeownership Program.

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)	Est. 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)

(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)

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.

***DHA has been designated a High Performing PHA.**

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)

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

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

- Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities

- Crime Prevention through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below)

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

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)
Local law enforcement provides reports and information as requested by DHA regarding criminal activity at DHA properties.

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

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2001 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 2008 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment.

14. PET POLICY

[24 CFR Part 903.7 9 (n)]

See Attachment 9,

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. (See Attachment 10)

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? **Zero**
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 and County of Denver, Colorado

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

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

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

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

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

Other: (list below)

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

D. Other Information Required by HUD

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

1. Substantial Deviation of Annual Plan from the 5-Year Plan

Substantial deviation is defined as: 1) discretionary changes in the plans or policies of the housing authority that fundamentally change the mission, goals, objectives, or 2) plans of the agency which require formal approval of the Board of Commissioners or the addition of any large capital item to the Capital Fund 5-Year Action Plan. Large capital items are defined as any work item that is 10% or more of the annual Capital Fund Grant.

2. Significant Amendment or Modification.

Significant amendment or modification is defined as: 1) discretionary changes in the plans or policies of the housing authority that fundamentally change the mission, goals, objectives, or plans of the agency and which require formal

approval of the Board of Commissioners or 2) the addition of any large capital item to the Capital Fund 5-Year Action Plan. Large capital items are defined as any work item that is 10% or more of the annual Capital Fund Grant.

3. Resident Membership and the PHA Governing Board

All Commissioners for the Housing Authority are appointed by the Mayor of the City and County of Denver. The Resident Commissioner is Tracey Saulters; her term of office is July 20, 2004 to July 20, 2009.

4. Component 3, (6) Deconcentration and Income Mixing

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

b. Yes No: Do any of these covered developments have average income above or below 85% to 115% of the average incomes of all such developments? If no, this section is completed. If yes, list these developments as follows: Deconcentration Policy for Covered Developments

Deconcentration policy for Covered Developments			
Developments Name	Number of Units*	Explanation (if any) [see step 4 at 903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at 903.2(c)(1)(v)]
Developments Above EIR			
CO001019	96	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001022	97	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001023	89	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	

Deconcentration policy for Covered Developments			
Developments Name	Number of Units*	Explanation (if any) [see step 4 at 903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at 903.2(c)(1)(v)]
CO001025	84	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001028	56	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001032	15	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001039	35	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001041	23	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001042	15	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001043	32	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001044	14	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	

Deconcentration policy for Covered Developments			
Developments Name	Number of Units*	Explanation (if any) [see step 4 at 903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at 903.2(c)(1)(v)]
CO001049	46	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001050	72	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
CO001051	120	Scattered site housing developments promote deconcentration. Their location in various census tracts and quadrants of the City promotes income deconcentration. See Goal #4 of 5-Year Plan above.	
		Developments Below EIR	
Platte Valley Homes CO001003	60		DHA will follow its Deconcentration Strategies to promote deconcentration of poverty in this development. See Admissions and Occupancy Terms and Policies, Section 2.23.
Westridge Homes CO001006	188		DHA will follow its Deconcentration Strategies to promote deconcentration of poverty in this development. See Admissions and Occupancy Terms and Policies, Section 2.23.
Quigg Newton Homes CO001007	374		DHA will follow its Deconcentration Strategies to promote deconcentration of poverty in this development. See Admissions and Occupancy Terms and Policies, Section 2.23.
Westwood Homes CO001011	172		DHA will follow its Deconcentration Strategies to promote deconcentration of poverty in this development. See Admissions and Occupancy Terms and Policies, Section 2.23.

Deconcentration policy for Covered Developments			
Developments Name	Number of Units*	Explanation (if any) [see step 4 at 903.2(c)(1)(iv)]	Deconcentration policy (if no explanation) [see step 5 at 903.2(c)(1)(v)]
Sun Valley Homes CO001008	162		DHA will follow its Deconcentration Strategies to promote deconcentration of poverty in this development. See Admissions and Occupancy Terms and Policies, Section 2.23.
Sun Valley Annex CO001012	153		DHA will follow its Deconcentration Strategies to promote deconcentration of poverty in this development. See Admissions and Occupancy Terms and Policies, Section 2.23.

***Number of units represents occupied units as of July 16, 2008.**

**Denver Housing Authority
RASS Survey
2007
Follow-up Plan**

2007 RASS Survey Results

Survey Section	Score	Date to be Completed in Annual Plan
Maintenance & Repair	86.0%	Not Required
Communication	74.5%	
Safety	75.1%	Not Required
Services	93.2%	Not Required
Neighborhood Appearance	74.2%	

Communication

Denver Housing Authority (DHA) plans to concentrate on improving communication between DHA management staff and residents during 2008. Seventy-four percent (74.5%) of those residents surveyed felt that DHA management was providing appropriate information in a timely and courteous manner. Denver Housing Authority would like to see this score improve. In order to increase communication between DHA management and residents, we are proposing the following actions are taken:

Action	Date of Completion
Provide training and/or written material to managers How to Improve Communication Skills	12/31/05
Have management representative attend Local Resident Council Meetings at least twice per year to hear resident concerns	Ongoing
Work with the maintenance department to provide adequate notice to tenants regarding maintenance and repair	Ongoing
Work specifically with managers at developments who scored under 75% in the communication category to create a development specific improvement plan	8/1/2005

Neighborhood Appearance

As it continues to “change the face of public housing” DHA works closely with residents to improve neighborhood appearances around public housing developments. With the increase of knowledge and participation in crime prevention programs during 2005, neighborhoods surrounding DHA developments will ultimately be affected for the positive. In addition, DHA is proposing the following actions be taken:

Action	Date of Completion
Create multilingual brochure for DHA tenants which lists city neighborhood services such as abandoned car reporting and graffiti removal.	6/30/05
Educate DHA management staff on city services available to residents to positively increase neighborhood appearance	Ongoing
Educate DHA maintenance staff on resident issues regarding neighborhood appearance	Ongoing

Attachments

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

- Attachment 1 – Public Housing Admissions and Occupancy Terms and Policies
- Attachment 2 – Section 8 Housing Programs Administrative Plan
- Attachment 3 – Capital Fund Performance and Evaluation Reports
- Attachment 4 – Capital Fund Five-Year Plan
- Attachment 5 – Resident Advisory Board Members
- Attachment 6 – Public Comments
- Attachment 7 – Executive Summary
- Attachment 8 – Voluntary Conversion Initial Assessments
- Attachment 9 – Family Housing Pet Policy
- Attachment 10 – Certifications
- Attachment 11 - DHA Organizational Chart
- Attachment 12- VAWA Information

**THE HOUSING AUTHORITY OF THE CITY AND
COUNTY OF DENVER**

PUBLIC HOUSING PROGRAM

**ADMISSIONS AND CONTINUED
OCCUPANCY TERMS AND POLICIES**

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SECTION 1
ADMISSIONS AND OCCUPANCY DEFINITIONS

ADMISSIONS AND OCCUPANCY DEFINITIONS

This section contains definitions of terms used in connection with admission and continued occupancy of the conventional public housing program operated by the Housing Authority of the City and County of Denver (“DHA”).

1.1 1937 Act

1937 Act means the United States Housing Act (42 U.S.C. 1437 *et seq.*).

1.2 Adjusted Income

Adjusted income means annual income (as determined by DHA), of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

Mandatory Deductions

- (a) \$480 for each Dependent (see definition of Dependent);
- (b) \$400 for any elderly family or disabled family;
- (c) The sum of the following, to the extent the sum exceeds three percent of annual income: (i) unreimbursed medical expenses of any elderly or disabled family; and (ii) unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus; and
- (d) Any reasonable childcare expenses necessary to enable a member of the family to be employed or to further his or her education.

For public housing only, a PHA may adopt a written policy setting forth additional deductions from annual income. DHA has adopted the following deductions:

1. Any child support payment made by a member of the family for the support and maintenance of any child who does not reside in the household.
2. Amount received by a person while employed as a DHA Resident Caretaker which exceeds the \$200 stipend permitted by 24 CFR Section 5.609. This amount will be subject to the 10% Rent Rule.

3. Amount of income received by all family members whose head-of-household is employed as a Resident Caretaker will be subject to the 10% Rent Rule. This income is deducted during the term of the Resident Caretaker Contract.

1.3 Annual Income

- (a) Annual income means all amounts, monetary or not, which:
 - (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
 - (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date; and
 - (3) Which are not specifically excluded in paragraph (c) of this section.
 - (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.
- (b) Annual income includes, but is not limited to:
 - (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
 - (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or

assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

- (4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);
- (5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);
- (6) *Welfare assistance.* Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:
 - (i) Qualify as assistance under the TANF program definition at 45 C.F.R. 260.31; and
 - (ii) Are not otherwise excluded under 24 C.F.R. 5.609 (c) (1-17).

If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

- (i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
- (ii) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph (b)(6)(ii) shall be the amount resulting from one application of the percentage.

- (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;
 - (8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).
- (c) Annual income does not include the following:
- (1) Income from employment of children (including foster children) under the age of 18 years;
 - (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
 - (3) 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 (except as provided in paragraph (b)(5) of this section);
 - (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
 - (5) Income of a Live-In-Aide, as defined in 24 C.F.R. § 5.403;
 - (6) The full amount of student financial assistance paid directly to the student or to the educational institution;
 - (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
 - (8)
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

- (iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a tenant for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination, and serving on the PHA's governing board. No tenant may receive more than one such stipend during the same period of time;
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as tenant 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;
- (9) Temporary, nonrecurring or sporadic income (including gifts);
 - (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
 - (11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
 - (12) Adoption assistance payments in excess of \$480 per adopted child;
 - (13) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts;
 - (14) 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;
 - (15) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
 - (16) 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 any program to which the exclusions set forth in 24 C.F.R. 5.609(c) apply. A notice will be published in the Federal Register and distributed to public housing authorities and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

(a) **Annualization of Income**

If it is not feasible to anticipate a level of income over a 12-month period, (e.g., seasonal or cyclic income) or the PHA believes that the past income is the best available indicator of expected future income, the PHA may annualize the income anticipated for a shorter period, subject to a re-determination at the end of the shorter period.

1.4 Applicant or Applicant Family

A person or a family that has applied for housing assistance.

1.5 Ceiling Rent

See Choice of Rent.

1.6 Child

Means a member of the family other than the Head of Household or spouse who is under 18 years of age.

1.7 Child Care Expenses

Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

1.8 Choice of Rent

(a) Choice of Rent means:

(1) Annual choice by family. Once a year, DHA must give each family the opportunity to choose between the two methods for determining the amount of tenant rent payable monthly by the family. The family may choose to pay as tenant rent either a flat rent as determined in accordance with paragraph (b) of this section, or an income-based rent as determined in accordance with paragraph (c) of this section. Except for financial hardship cases as provided in paragraph (d) of this section, the family may not be offered this choice more than once a year.

(2) Relation to minimum rent. Regardless of whether the family chooses to pay a flat rent or income-based rent, the family must pay at least the minimum rent as determined in accordance with 24 C.F.R §5.630 of this title.

(b) Flat rent.

(1) The flat rent is based on the market rent charged for comparable units in the private unassisted rental market. It is equal to the estimated rent for which DHA could promptly lease the public housing unit after preparation for occupancy.

(2) DHA must use a reasonable method to determine the flat rent for a unit. To determine the flat rent, DHA must consider:

- (i) The location, quality, size, unit type and age of the unit; and
- (ii) Any amenities, housing services, maintenance and utilities provided by DHA.

(3) The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

(4) If the family chooses to pay a flat rent, DHA does not pay any utility reimbursement.

(5) DHA must maintain records that document the method used to determine flat rents, and also know how flat rents are determined by DHA in accordance with this method, and document flat rents offered to families under this method.

(c) Income-based rent. An income-based rent is a tenant rent based on the family' s income and DHA' s rent policies for determination of such rents.

1.9 Citizen

Means a citizen or national of the United States.

1.10 Community Service

1) Community service means the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, or enhance tenant self-sufficiency, or increase tenant self-responsibility

in the community. Community service is not employment and may not include political activities.

1.11 Consent Form

Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment, and payments of retirement income); and return information for unearned income from the Internal Revenue Service. The consent form expires after a certain time and may authorize the collection of other information from assistance applicants or participants to determine eligibility or level of benefits.

1.12 Covered Families

As applied to welfare benefit reduction, Covered Families means families who receive welfare assistance or other public assistance benefits (“welfare benefits”) from a State or other public agency (“welfare agency”) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

1.13 Dependent

A member of the family (except foster children and foster adults) other than the Head of Household or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student.

1.14 Disability Assistance Expenses

Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

1.15 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.

As applied to Designated Housing, Disabled Family means a family whose head or spouse or sole member is a person with disabilities. The term “disabled family” may include two or more persons with disabilities living together, and one or more persons with disabilities living with one or more persons who are determined to be essential to the care or well-being of the person or persons with disabilities. A disabled family may include persons with disabilities who are elderly.

1.16 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.

1.17 Displaced Person

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.

1.18 Designated Family

Means the category of family for whom the project is designated (e.g., elderly family in a project designated for elderly families).

1.19 Designated Housing

Means a project (or projects), or a portion of a project (or projects) (as these terms are defined in 24 C.F.R. Part 945), that has been designated in accordance with the requirements of 24 C.F.R. Part 945.

1.20 Economic Self-Sufficiency Program

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

1.21 Elderly Family

A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more Live-In-Aides.

1.22 Elderly Person

A person who is at least 62 years of age.

1.23 Eligible Families

Low-income families who are eligible for admission to the public housing program.

1.24 Extremely Low Income

Extremely low-income family means a family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

1.25 Family

Family includes but is not limited to:

- (a) A family with children (the temporary, 90 days or less, absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size; furthermore, proof of guardianship must be provided);
- (b) A family without children;
- (c) An elderly family;
- (d) A near-elderly family;
- (e) A disabled family;
- (f) A displaced family;
- (g) The remaining member of a tenant family who meets all other eligibility criteria;
- (h) A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family; or
- (i) Two or more persons sharing residency, who are over eighteen (18) years of age and whose income and resources are available to meet the family's needs and who are either related by blood, marriage or operation of law, or who evidenced a stable family relationship over a period of six (6) months.

Evidence of "stable family relationship" may include any of the following: birth certificates of the children, joint tax return, prior lease (held jointly), joint bank accounts, insurance policies, prior joint credit history, or equivalent documentation as determined by DHA.

1.26 Family Members

All members of the household other than Live-In-Aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

1.27 Flat Rent

See Choice of Rent.

1.28 Full-time Student

A person who is attending school or vocational training on a full-time basis.

1.29 Head of Household

Means the adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

1.30 Household Members

Includes family members, Live-In-Aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

1.31 HUD

Department of Housing and Urban Development.

1.32 Imputed Welfare Income

The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family' s annual income for purposes of determining rent.

1.33 Income Information

Income information means information relating to an individual' s income, including:

- (1) All employment income information known to current or previous employers or other income sources that HUD or DHA determines are necessary for purposes of determining an assistance applicant' s or participant' s eligibility for, or level of assistance in, a covered program;
- (2) All information about wages, as defined in the State' s unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law;
- (3) With respect to unemployment compensation;
 - (i) Whether an individual is receiving, has received, or has applied for unemployment compensation;
 - (ii) The amount of unemployment compensation the individual is receiving or is entitled to receive; and
 - (iii) The period with respect to which the individual actually received such compensation;

- (4) Unearned IRS income and self-employment, wages and retirement income as described in the Internal Revenue Code, 26 U.S.C. 6103(l)(7); and
- (5) Wage, social security (Title II), and supplemental security income (Title XVI) data obtained from the Social Security Administration.

1.34 Income Targeting

1. Public Housing

During each DHA fiscal year, at least 40% of the families admitted to public housing from the waiting list, must have incomes that do not exceed 30% (extremely low-income) of the area median income.

1.35 Incremental

The increase between the total amount of welfare and earnings of a family member prior to enrollment in the training program and welfare and earnings of the family member after enrollment in the training program. All other amounts, increases or decreases, are treated in the usual manner in determining annual income.

1.36 DHS

The Department of Homeland Security.

1.37 Live-In-Aide

Live-In-Aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- (1) Is determined to be essential to the care and well-being of the persons;
- (2) Is not obligated for the support of the persons; and
- (3) Would not be living in the unit except to provide the necessary supportive services.

1.38 Local Preferences

System of selection preferences, based upon local housing needs and priorities determined by DHA, which are used in selecting among applicants.

1.39 Low-Income Family

A family whose annual income does not exceed 80 percent of the area median income, as determined by HUD with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 80 percent of the area median income on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

1.40 Medical Expenses

Medical expenses, including medical insurance premiums that are anticipated during the period for which annual income is computed, and that are not covered by insurance.

1.41 Mixed Family

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

1.42 Mixed Population Project

As utilized in Part 945, mixed population project means a public housing project reserved for elderly families and disabled families. This is the project type referred to in the National Affordable Housing Act, as being designated for elderly and disabled families. A PHA that has a mixed population project or intends to develop one need not submit an allocation plan or request a designation. However, the project must meet the requirements of 24 C.F.R. part 960 subpart D.

1.43 Mixed Population Development

Means a public housing development, or portion of a development, that was reserved for elderly and disabled families at its inception (and has retained that character). If the development was not so reserved at its inception, the PHA has obtained HUD approval to give preference in tenant selection for all units in the development (or portion of development) to elderly families and disabled families. These developments were formerly known as elderly projects.

1.44 Monthly Adjusted Income

One twelfth of Adjusted Income.

1.45 Monthly Income

One twelfth of Annual Income.

1.46 National

Means a person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

1.47 Near-Elderly Family

Near-Elderly Family means a family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more Live-In-Aides.

1.48 Near-elderly Person

A person who is at least 50 years of age but below the age of 62 who may be a person with a disability. Near elderly persons do not qualify to live in Denver Housing Corporation properties.

1.49 Non-citizen

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

1.50 Non-Elderly Disabled Person

A person with a disability who is less than 62 years of age.

1.51 Net Family Assets

- (a) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- (b) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust shall be counted when determining Annual Income under 24 C.F.R. § 5.609.
- (c) In determining net family assets, DHA or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or re-examination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

1.52 Over-Income Family

A family that is not a low-income family.

1.53 Owner

Owner has the meaning provided in the relevant program regulations.

1.54 Person With Disabilities

a) Admission to Conventional Public Housing

Persons with Disabilities, as defined in 24 C.F.R. §5.403, means a person who:

- (a) Has a disability as defined in 42 U.S.C. 423;
- (b) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that: (1) is expected to be of long-continued and indefinite duration; (2) substantially impedes his or her ability to live independently; and (3) is of such a nature that such ability could be improved by more suitable housing conditions, or
- (c) Has a developmental disability as defined in 42 U.S.C. 6001.

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic property management representative for acquired immunodeficiency syndrome.

For purposes of qualifying for low-income housing, a person with disabilities does not include a person whose disability is based solely on any drug or alcohol dependence, and means an “individual with handicaps” as defined in §8.3 for purposes of reasonable accommodation and program accessibility for person with disabilities.

b) Public Housing Designated for Occupancy by Disabled, elderly or Disabled and Elderly Families

As applied pursuant to Part 945, Persons with Disabilities means:

- (a) Has disability as defined in section 223 of the Social Security Act (42 U.S.C. 423), or
- (b) Is determined to have a physical, mental, or emotional impairment that:
 - (1) is expected to be of long-continued and indefinite duration;
 - (2) substantially impedes his or her ability to live independently; and
 - (3) is of such a nature that such ability could be improved by more suitable housing conditions, or

(c) Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).

The term “person with disabilities” does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic property management representative for acquired immunodeficiency syndrome.

1.55 Proration of Assistance

The reduction in a family’s housing assistance payment to reflect the proportion of family members in a mixed family, as defined in 24 C.F.R. §5.504(b), who are eligible for assistance.

1.56 Public Housing

Means housing assisted under the 1937 Act, other than under Section 8. Public Housing includes dwelling units in a mixed finance project that are assisted by a PHA with capital or operating assistance.

1.57 Public Housing Agency (PHA)

Any state, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

1.58 Public Housing Covered Programs

Means the public housing programs administered by the Assistant Secretary for Public and Indian Housing under Title I of the 1937 Act. This definition does not encompass HUD’s Indian Housing programs administered under Title II of the 1937 Act. Further, this term does not include those programs providing assistance under Section 8 of the 1937 Act.

1.59 Remaining Family Member

A person who is eighteen (18) years of age or older, meets all other eligibility criteria, and is a member of a DHA tenant family, but not a signatory to the lease and who continues to live in the unit after all other family members have left.

1.60 Selection Preferences

System of local preferences used to select families for admission to DHA’s public housing program.

1.61 Single Person

A person who lives alone or intends to live alone, who is not an elderly person, a person with disabilities, a displaced person, or the remaining member of a tenant family.

1.62 Service Requirement

The obligation of each adult resident, other than an exempt individual, to perform community service or participate in an economic self-sufficiency program required by §960.603.

1.63 Specified Welfare Benefit Reduction

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.

Specified Welfare Benefits Reduction does not include a reduction or termination of welfare benefits by the welfare agency:

1. at the expiration of a lifetime or other time limit on the payment of welfare benefits;
2. because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
3. because a family member has not complied with other welfare agency requirements.

1.64 Supportive Services

Supportive Services means those appropriate services that a PHA will make available, or cause to be made available to a FSS family under a contract of participation, and may include:

- a. childcare as defined in 24 C.F.R. §984.103(b);
- b. transportation as defined in 24 C.F.R. §984.103(b);
- c. education as defined in 24 C.F.R. §984.103(b)
- d. employment as defined in 24 C.F.R. §984.103(b)
- e. personal welfare as defined in 24 C.F.R. §984.103(b);
- f. household skills and management as defined in 24 C.F.R. §984.103(b);
- g. counseling as defined in 24 C.F.R. §984.103(b); and
- h. other services as defined in 24 C.F.R. §984.103(b).

1.65 Tenant Rent

The amount payable monthly by the family as rent to the unit owner or DHA in public housing.

1.66 Total Tenant Payment

- a) Total tenant payment is the highest of the following amounts, rounded to the nearest dollar:
 - 1) 30 percent of the family' s monthly-adjusted income;
 - 2) 10 percent of the family' s monthly income;
 - 3) If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family' s actual housing costs, is specifically designated by such agency to meet the family' s housing costs, the portion of those payments which is designated for housing;
or
 - 4) The minimum monthly rent established by the PHA.

1.67 Training Program

A learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual' s ability to obtain employment. It may have performance standards to measure proficiency.

Training may include, but is not limited to:

- a. classroom training in a specific occupational skill;
- b. on-the-job training with wages subsidized by the program; or
- c. basic education.

1.68 Transitional Housing

Transitional housing is designated to provide housing and appropriate supportive services, provided by an outside agency, to homeless persons and families and has the purpose of facilitating the movement of individuals and families to independent living within a time period that is set by the project before occupancy.

1.69 Utility Allowance

If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by DHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

1.70 Utility Reimbursement

The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit.

1.71 Very Low-Income Family

A family whose annual income does not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families except that HUD may establish income ceilings higher or lower than 50 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

1.72 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.

1.73 Work Activities

See definition at 407(d) of the Social Security Act (42 U.S.C. 607(d)).

1.74 Working Family

A family whose income is based on actual employment or if the Head of Household and spouse or sole member are age 62 or older or receiving social security disability, supplemental security income disability benefits, or any other payments based on an individual's inability to work.

Any term not defined in this policy shall have the meaning set forth in the applicable HUD regulations.

SECTION 2
ADMISSIONS AND OCCUPANCY POLICIES

2.1 Fair Housing

It is the policy of DHA to fully comply with all Federal, State and local nondiscrimination laws including, but not limited to, Section 504 of the Rehabilitation Act and HUD' s regulations governing Fair Housing and Equal Opportunity.

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

2.2 Reasonable Accommodation

- a) It is DHA' s policy to provide a “ reasonable accommodation” in housing for applicants, residents, and clients with disabilities where a reasonable accommodation is necessary to provide them with an equal opportunity to participate in, or benefit from, DHA housing programs. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability.

Individuals may request a reasonable accommodation by following the procedures outlined in the Housing Authority of the City and County of Denver Reasonable Accommodation In Housing Guidelines (“ RAHG”). These guidelines clarify how people can request accommodations, and the guidelines DHA will follow in determining whether it is reasonable to provide a requested accommodation. DHA will not consider any individual disabled for the purpose of providing an accommodation without confirmation by a health care provider that the individual meets the definition of disabled in the RAHG. A Request for Accommodation form must be requested and completed. If an individual is unable to complete the Request for Accommodation form, a DHA representative will assist them in completing the necessary forms.

DHA has the right to obtain verification that the person has a disability. If more than one accommodation is equally effective in providing access to DHA' s programs and services, DHA retains the right to select the most efficient or economic choice.

- b) **Effective Communications:** Upon request, DHA will provide alternative forms of communication for individuals who are visually,

hearing, mentally or manually impaired to ensure the individual is able to effectively communicate with DHA, in compliance with DHA's Guidelines for the Provision of Alternative Forms of Communication for Individuals with Disabilities. DHA will furnish appropriate auxiliary aids (e.g., qualified sign language and oral interpreters, readers, use of taped material) where necessary to facilitate communication with an individual with a disability.

2.3 Eligibility for Admission to Conventional Public Housing,

In order for an applicant to be eligible for admission to public housing, the applicant must be eighteen (18) years old and meet the following conditions:

- 1) **Family:** The applicant shall meet the definition of Family as set forth in Section 1 of this Admissions and Occupancy Policy ("Policy").
- 2) **Income Eligible:** The applicant must be income eligible in accordance with the annual income limits for admission to public housing as set forth in HUD's most recent published income limits for admission.
- 3) **U.S. Citizen or National:** The applicant must be a U.S. citizen or U.S. national as defined in 24 C.F.R. Part 5. U.S. citizens and U.S. nationals must provide a signed declaration of U.S. citizenship or U.S. nationality. Non-citizens who are 62 years of age or older or who will be receiving assistance under a Section 214 covered program on September 30, 1996, or applying for assistance after that date, must provide a signed declaration of eligible immigration status and proof of age document. All other non-citizens must provide a signed declaration of eligible immigration status, one of the documents referred to in 24 C.F.R. §5.510, and a signed verification form. See Section 2.6 for more details.
- 4) **Tenant Selection Criteria:** It is DHA's policy that all applicants for public housing shall be screened for program eligibility in accordance with HUD regulations. DHA has established criteria to avoid concentration of families with serious social problems in DHA developments. It is also DHA's policy to preclude admission of applicants, or to terminate the lease of tenants, whose habits and practices reasonably may be expected to have a detrimental effect on other tenants, the development environment, DHA staff or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet any one of the selection criteria.

Relevant information regarding habits or practices of applicants and household members which, DHA will consider include, but are not limited to, the following:

- (a) Reference checks and interviews with landlords, employers, family social workers and parole officers.
- (b) Reference checks and information regarding applicant' s and household members' conduct and behavior, in present or prior housing, which demonstrates that the applicant and/or household members can reasonably be expected not to:
 - (i) interfere with other tenants in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;
 - (ii) adversely affect the physical environment or financial stability of the project;
 - (iii) violate the terms and conditions of the lease.
- (c) The applicant' s past performance in meeting financial obligations, especially rent. DHA will consider any past balances applicant owes for any program that DHA administers or any other rent subsidy program. These balances must be paid in full (either in a lump sum or over time) before completing the admission process. DHA will not admit applicants or household members who owe past balances.
- (d) Any history of criminal activity in any state the applicant has resided in, on the part of any applicant or household members, involving crimes of physical violence to persons or property and other criminal acts including drug-related criminal activity which would adversely affect the health, safety, or welfare of other tenants. A criminal background check will be conducted by DHA on all adult household members, including Live-In-Aides.

Additionally, DHA may, at any time after admission, obtain a criminal history check for any tenant or household member for the purpose of lease enforcement or eviction.

- (e) A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at present or prior residences that may adversely affect the health, safety, or welfare of other tenants or neighbors.

- (f) Applicant or household members, during a previous tenancy, violated any tenant obligations under the Conventional Public Housing program including, but not limited to the following: 1) failure to supply information or falsifying information on any records required in administration of the programs; including those needed to determine income eligibility, and family composition 2) not allowing the PHA to inspect the unit at reasonable times and after reasonable notice and 3) not using the premises solely as the family' s principal place of residence.
- (g) Applicant' s or household members' disregard of rules of occupancy and rights of others including, but not limited to, disturbance or poor housekeeping habits.
- (h) A record of eviction from housing or involuntary termination from residential programs (taking into account date and circumstances).
- (i) Applicant or household members is/are illegally using a controlled substance.
- (j) Applicant or household member has been convicted of manufacturing or otherwise producing methamphetamine on the premises of federally assisted housing in violation of any Federal or State law may not be admitted to the Public Housing program or Section 8 program.
- (k) Applicant or any household member has been convicted of a crime involving unlawful sexual behavior, or any person classified as a sexually violent predator, who is required to register with the local law enforcement agency in which he/she resides in accordance with Section 18-3-412.5, CRS.
- (l) Applicant or household members abuse(s) alcohol in a way that gives DHA reasonable cause to believe the behavior may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants.
- (m) Applicant or household members who have been evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to public housing for a three year period beginning on the date of the eviction. DHA can waive this requirement if:

- (i) the person demonstrates successful completion of a state certified rehabilitation program; or
- (ii) the circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.

Mitigating circumstances applicable to subsections (a) through (j) above: If unfavorable information is received about an applicant or household member(s), consideration shall be given to the time, nature, seriousness and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct or financial prospects. To be factored into DHA's screening assessment of the applicant, mitigating circumstances must be verifiable. Examples of mitigating circumstances include, but are not limited to:

- (i) evidence of rehabilitation;
- (ii) evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs;
- (iii) evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.

Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. DHA may require the applicant to submit a Request for Accommodation, in compliance with DHA's Reasonable Accommodations in Housing Guidelines, in order to determine if a mitigating circumstance qualifies the applicant for a reasonable accommodation. DHA has discretion to consider all of the circumstances in each case including the seriousness of the case, the extent of participation or culpability of individual household members, and the effects of denial or termination of assistance on other household members who were not involved in the action or failure to act.

DHA may require an applicant to exclude a household member in order to be admitted to the Public Housing program if the household member has participated in or has been culpable for criminal activity, drug-related criminal activity or the illegal use of drugs, which would warrant denial of the application.

2.4 Eligibility for Admission to Section 8 Development Based Assistance Program

In order for an applicant to be eligible for admission to the Section 8 program, the applicant must be eighteen (18) years old and meet the following conditions:

- 1) Family: The applicant shall meet the definition of Family as set forth in Section 1 of this Policy.
- 2) Income Eligible: The applicant must be income eligible in accordance with the annual income limits for admission to the Section 8 program as set forth in HUD' s most recent, published income limits for admission.
- 3) U.S. Citizen or National: The applicant must be a U.S. citizen or U.S. national as defined in 24 C.F.R. Part 5. U.S. citizens and U.S. nationals must provide a signed declaration of U.S. citizenship or U.S. nationality. Non-citizens who are 62 years of age or older or who will be receiving assistance under a Section 214 covered program on September 30, 1996, or applying for assistance after that date, must provide a signed declaration of eligible immigration status and proof of age document. All other non-citizens must provide a signed declaration of eligible immigration status, one of the documents referred to in 24 C.F.R. §5.510, and a signed verification form. See Section 2.6 for more details.
- 4) Client Selection Criteria: It is DHA' s policy that all applicants, and applicant' s family, for the program shall be screened for program eligibility in accordance with HUD regulations. Relevant information which DHA will consider includes, but is not limited to, the following:
 - (a) History of drug-related criminal activity or violent criminal activity including, but not limited to any illegal criminal activity that has as one of its elements: the use, attempted use, or threatened use of physical force against the person or property of another. DHA will deny an applicant who has been convicted of manufacturing or otherwise producing methamphetamine in violation of any Federal or state law. DHA may deny assistance if the preponderance of evidence indicates that a family member has engaged in such activity, regardless of whether applicant or applicant' s family member has been arrested or convicted.
 - (b) Maintenance of housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety or welfare of other tenants.
 - (c) A criminal background check on all adult household members, including Live-In-Aides.

- (d) Applicant or any household member has been convicted of a crime involving unlawful sexual behavior, or any person classified as a sexually violent predator, who is required to register with the local law enforcement agency in the jurisdiction in which he/she resides in accordance with Section 18-3-412.5, C.R.S.
- (e) A home visit that considers cleanliness and care of rooms, appliances and appurtenances. The inspection may also consider any evidence of criminal activity.
- (f) History of applicant or applicant family' s illegal use, or possession for personal use, of a controlled substance within one (1) year from the date DHA provides notice to the applicant of DHA' s determination to deny assistance.

DHA may not deny or terminate assistance for such use or possession by applicant' s family, if the family member can demonstrate that he or she:

- (i) has an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such an impairment; and
 - (ii) is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. DHA may require a family member who has engaged in the illegal use of drugs to submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit.
- (g) Applicant or applicant family' s pattern of illegal use of a controlled substance or pattern of abuse of alcohol gives DHA reasonable cause to believe that the pattern of abuse may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants.

DHA may waive the policies prohibiting admission in these circumstances if the person demonstrates to DHA' s satisfaction that the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol and:

- (i) has successfully completed a supervised drug or alcohol rehabilitation program;
- (ii) has otherwise been rehabilitated successfully; or
- (iii) is participating in a supervised drug or alcohol rehabilitation program.

- (h) Applicant or applicant' s family who have been evicted from public housing, Indian housing, Section 23 or any Section 8 programs because of drug-related criminal activity are ineligible for participation in the Section 8 program for a three year period, beginning on the date of such eviction. DHA may waive this requirement if:
 - (i) the person demonstrates successful completion of a rehabilitation program approved by DHA, or
 - (ii) the circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.
- (i) Applicant or applicant' s family has a history of other criminal activity, which may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons in the vicinity.
- (j) Applicant or applicant' s family has a history of other criminal activity, -which threatens the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of DHA.

Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. DHA may require the applicant to submit a Request for Accommodation, in compliance with DHA' s Reasonable Accommodations in Housing Guidelines, in order to determine if a mitigating circumstance qualifies the applicant for a reasonable accommodation. DHA has discretion to consider all of the circumstances in each case including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act.

2.5 Tenant Selection Criteria: Public Housing units at Villages at Curtis Park, Three Towers and Benedict Place Developments

- 1) Applicant Screening Criteria: All eligible applicants will be subject to the following screening criteria:
 - (a) Credit Check. Credit check and contact with landlord(s) that assesses a family' s ability to pay the rent based on record of eviction, judgment, significant debt or payment history that reduces such ability to pay rent.

- (b) Criminal History. Criminal history record check for all household members over the age of eighteen (18) showing no record of past criminal activity which may reasonably pose a threat to or adversely affect the health, safety, peaceful environment, peaceful enjoyment of the property by other residents, or welfare of other residents, staff members, Housing Authority representatives, or the Property. The Property management representative will particularly screen for criminal activity as it relates to the following:
- (i) The record of criminal activity for the last seven (7) years for a crime against a person;
 - (ii) The record of a conviction for the last five (5) years for a crime against property;
 - (iii) A record of any violent or drug related criminal activity; and
 - (iv) Past or present behavior which poses a threat to the health, safety, peaceful environment or welfare of other residents and/or employees, contractors or representatives of the Property management representative, Owner or the Housing Authority.
- (c) Criminal History Affidavit for Persons Under Eighteen 18. Affidavit from head of household that all family members under eighteen (18) years of age have not been convicted of a crime classifying them as an adult. If this affidavit cannot be made, a record check on those members must also be obtained by parent or guardian and thereby subjected to the criminal history record check criteria for adults.
- (d) Landlord Verification. Current and previous landlord verification of rent payment history and care for the unit. If previous landlord verification is not available, the current landlord verification must be used, a landlord history or mortgage payment history must be obtained.
- (e) Assisted Housing by Non-citizens. The Property management representative agrees to continue current eligibility processing and verification of eligibility in accordance with HUD guidelines.
- (f) Utility Verification. Contact with at least one prior utility supplier to gather information on applicant' s payment history or demonstration of the ability and willingness to pay utility bills in a timely and responsible manner.

- (g) Home Visits. Applicants may be required to undergo a home visit inspection or reinspection of the applicant's current living arrangements to determine the applicant's compliance with the screening criteria and the applicant's ability to meet management's stringent housekeeping-related requirements.

- (h) Additional Documentation. Applicants may be required to furnish additional documentation, as deemed necessary, to determine the applicant's ability to uphold the lease agreement. Applicants are required to respond within the specified time frame. Failure to do so will result in the applicant's removal from the Site-Based Waiting List. In the case of a disabled applicant, reasonable accommodation may be made to allow the applicant to comply with the lease.

- (i) Drug Treatment Facility Information. The Property management representative may obtain information from drug treatment facilities regarding applicants to public housing. The Property management representative will follow subsection (e) of Section 575 of QHWRA stating that Public Housing Agencies, or their property management representatives, may require "each person who applied for admission to public housing to sign one or more forms of written consent authorizing the agency to receive information from a drug abuse treatment facility..." Records management will be in accordance with subsection (e) of Section 575 which details the requirements for records management, permission for drug abuse treatment facilities to charge fees for releasing records, procedures to ensure a nondiscriminatory process, and the definitions for "drug abuse treatment facility" and "currently engaged in the illegal use of a controlled substance." The applicant's consent form must expire automatically after the Property management representative decides to approve or deny admission. Additionally, the information the Property management representative requests must be "solely related to whether the applicant is currently engaging in the illegal use of a controlled substance." If applying this provision, the Property management representative must require each applicant to sign a release form but may seek such information for all applicants or only for those applicants with a prior record of arrest or conviction or whose rental history indicates the applicant has engaged in destructive behavior to persons or property. The law

specifically exempts drug abuse facilities from liability if the disclosure is made in accordance with the existing law. The property management representative must destroy any such records not later than five days after approving the applicant for admission or if denying admission in a “timely manner” after the statute of limitation for civil action against the Property management representative has expired.

- (j) Verification Methods. All applicant screening verification will be accomplished by mail, telephone, electronic document or information transmission, facsimile, or personally, as necessary. Generally, formal screening interviews with applicants will not be required.
- 2) Application Denial. After a review and evaluation of the pertinent documentation and information provided by the applicant, the property management representative may reject or deny any application, or pre-application, for any of the reasons set forth below:
- a) Failure to Meet Screening Criteria. Applicant does not meet income, eligibility or suitability criteria; or
 - b) Drug/Alcohol Abuse. History of one or more family members of drug or alcohol abuse, with no current verifiable, rehabilitation services or evidence of completion of rehabilitative services;
 - c) Criminal Activity. History of serious or consistent criminal activity or any pattern of violent or drug related criminal activity.
 - d) Sex Offender. Applicant has been convicted of a crime involving unlawful sexual behavior, or any person classified as a sexually violent predator, who is required to register with the local law enforcement agency in the jurisdiction in which he/she resides in accordance with Section 18-3-412.5, CRS.
 - e) Methamphetamine Conviction. Individuals (both residents and applicants) convicted of manufacturing or producing methamphetamine are ineligible for housing assistance in public housing. The property management representative must terminate the tenancy of any person convicted of manufacturing methamphetamine on the premises of an assisted housing project.

- 3) Mitigating Circumstances. 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 financial prospect or future conduct. Factors to be considered:
- (a) Mitigation of Negative Credit Information. Negative credit information can be mitigated through third party verification for each credit item that: (i) the applicant has entered into a payment plan with creditor and there has been a three month payment history; (ii) there is a three month history of payment to the creditor; or (iii) applicant has disputed such debt and can provide verification of such dispute.
 - (b) Mitigation of Unsuitable Rental History. The applicant may request a reasonable accommodation to explain and/or overcome any prior misconduct related to a previous tenancy. The Property management representative may request information necessary to determine if the mitigating circumstances qualifies the applicant for a reasonable accommodation. If the applicant refuses to provide further information, the Property management representative will not give further consideration to the mitigating circumstance.
 - (c) General Mitigation Guidelines. 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. For example:
 - (i) Evidence of rehabilitation;
 - (ii) Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs and the availability of such programs; or
 - (iii) Evidence of repayment or continuance of satisfactory payments toward outstanding indebtedness.
- 4) Applicant Notification. The Property management representative will promptly notify rejected applicants in writing by mail. The notification will indicate the reason for the determination and the right to request

an informal review with the Property management representative within fourteen (14) days or to show mitigating circumstances. If the applicant requests an informal review, Property management representative will give the applicant a final decision within ten (10) business days of the meeting.

- 5) Procedure for an Informal Hearing. The following are the general procedures which the Property management representative will use to address any applicant who requests a hearing regarding the denial of their application:
- (a) Written Request for a Hearing. An applicant must make a written request to the Property management representative's Management Office within fourteen (14) business days from the date of the denial letter.
 - (b) Informal Hearing. Property management representative will hold an informal hearing with the complaining applicant within ten (10) business days of receipt of the written request, and attempt to resolve the issue.
 - (c) Decision. A decision on the informal hearing shall be prepared by the Property management representative and mailed to the applicant or their legal representative within ten (10) business days of the informal hearing.
 - (d) Attendees. Present at the hearing will be the Hearing Officer, the applicant, and their representative(s), not to exceed two (2) representatives.
 - (i) If unable to attend, applicant must notify the Hearing Officer or a designated staff representative at least one (1) hour before the hearing time.
 - (ii) If the applicant fails to attend the hearing (with a "grace period" being 15 minutes after the hearing), and fails to notify the Property management representative's Management Office within the time specified in subparagraph 5.D.1., above, the applicant's right to an informal hearing will be forfeited.

2.6 Verification of Citizenship or Eligible Non-Citizen Status/ Conventional Public Housing and Public Housing units within Low Income Tax Credit Developments

- (a) The citizenship or eligible non-citizen status of each family member regardless of age must be determined. Prior to being admitted, or at the first re-examination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status. DHA shall notify applicants and tenants that they will be required to submit evidence of citizenship or eligible immigration status. This requirement applies to all families regardless of any documentation of the person's identity, which may have been previously obtained. An extension of time, not to exceed thirty (30) days, may be granted to allow the applicant an opportunity to obtain the evidence required. The determination of the length of the extension needed shall be based on the circumstances of each individual case. The decision to grant or deny an extension shall be a written notice to the applicant, which specifies the extension period. If the extension is denied, the notice shall explain the reasons for the denial.
- (b) Applicants with no eligible family members do not qualify for assistance.
- (c) Applicants whose family members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status (Mixed Family) qualify for Prorated Assistance.
- (d) Non-citizen student applicant or tenant, living alone or accompanied by immigrant spouse and/or children do not qualify for assistance.
- (e) Non-citizen student applicant or tenant whose family members include a citizen spouse and citizen children are eligible for Prorated Assistance.
- (f) Tenants in occupancy on or before June 19, 1995, are eligible for continued assistance if Head of Household or spouse are eligible and family includes no non-eligible members other than parents or children of Head of Household or spouse. Tenants who do not qualify for continued assistance have the opportunity to choose between a temporary deferral of assistance or Prorated Assistance.
- (g) Tenants in occupancy on or before June 19, 1995, who do not qualify for continued assistance and whose family members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status (Mixed

Family) have the opportunity to choose between temporary deferral of assistance or Prorated Assistance.

- (h) Tenants who qualify for a temporary deferral of assistance must show evidence of seeking a standard appropriate size unit within 125% of the rent it is presently paying before the deferral will be granted. The deferral period shall be for an initial period not to exceed six (6) months. The initial period may be renewed for six (6) months, but the aggregate deferral period for deferrals provided after November 29, 1996, shall not exceed a period of eighteen (18) months. The aggregate deferral period for deferrals granted prior to November 29, 1996, shall not exceed three (3) years.
- (i) Mixed Family in occupancy after June 19, 1995 qualifies for only Prorated Assistance.
- (j) Prorated Assistance shall be recalculated whenever there has been a change in family composition or income.
- (k) DHA will calculate the proration of assistance using the methodology for determining maximum rents and proration as provided by HUD.
- (l) Tenants in occupancy after June 19, 1995, with no eligible family members do not qualify for assistance.
- (m) Upon determination of ineligible status the maximum rent based on the 95th percentile will be charged effective the first of the month following notification to tenant of ineligible status.

2.7 Social Security Number Disclosure/Conventional Public Housing and Public Housing Units Within Low Income Housing Developments

At the time of initial application (if an applicant), or at the next regularly scheduled re-examination, each applicant, tenant must submit the complete and accurate social security number (“SSN”) assigned to the applicant, tenant and each member of their family who is at least six (6) years of age. Documentation verifying each SSN must also be provided. If an applicant, or their family member who is at least six years of age, has a SSN that cannot be documented then he/she/they must sign a certification in the form and manner that HUD and DHA prescribe in applicable administrative instructions. If an applicant, or their family member who is at least six years of age, has never been assigned a SSN, then he/she/they must sign a certificate in the form and manner that HUD and DHA prescribe in applicable administrative instructions. Applicants are encouraged to apply for a SSN for children under 6 years old.

- 1) Each tenant whose initial determination of eligibility under the program involved was begun before November 6, 1989, must submit

- the following information to DHA at the next regularly scheduled income re-examination for the program involved:
- (a) The complete and accurate SSN assigned to the tenant and to each member of their household who is at least six (6) years of age. The documentation necessary to verify the SSN is a valid card issued by the Social Security Administration or such other evidence prescribed by HUD or DHA.
 - (b) If the tenant or any member of their household who is at least six (6) years of age has not been assigned an SSN, a certification executed by the individual involved which is in the form and manner that HUD and DHA have prescribed must be provided.
- 2) Once a tenant has disclosed and verified every SSN, or submitted any certification that a SSN has not been assigned, the following rules apply:
- a) If the tenant's household adds a new member who is at least six (6) years of age, the tenant or Section 8 participant must submit to DHA, at the next interim or regularly scheduled income re-examination that includes the new members:
 - (i) The complete and accurate SSNs assigned to each new member. The documentation necessary to verify the SSN, which is a valid card issued by the Social Security Administration, or such other evidence prescribed by HUD or DHA must also be submitted.
 - (ii) If the new member has not been assigned a SSN, a certification executed by the individual involved which is in the form and manner that HUD and DHA have prescribed must be provided.
 - (b) If the tenant or any member of their household who is at least six (6) years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the tenant or Section 8 participant must submit the complete and accurate SSN to DHA at the next regularly scheduled income re-examination. The documentation necessary to verify the SSN, which is a valid card issued by the Social Security Administration, or such other evidence prescribed by HUD or DHA, must also be submitted.
 - (c) Additional SSN disclosure and verification requirements may be specified in administrative instructions by DHA.

- (d) Applicants and/or tenants who do not have a SSN shall provide DHA with a SSN within 60 days after DHA notifies him/her/them, in writing, that a SSN must be provided.
- 3) If an individual who is required to disclose his/her SSN cannot meet the documentation requirements, he/she/they must submit to DHA the individual's SSN and a certification executed by the individual that the SSN submitted has been assigned to the individual, but that acceptable documentation to verify the SSN cannot be provided.
- 4) Except for the following, DHA must accept the certification and continue to process the applicant's, tenant's documents to determine his/her/their eligibility to participate in the program involved:
 - (a) Only for reasons as HUD and DHA prescribe in applicable administrative instructions.
- 5) If DHA determines that an applicant is otherwise eligible to participate in its program, the applicant may not become a tenant unless he/she/they submit(s) the required documentation within sixty (60) calendar days from the date on which the certification is executed. DHA may, in its discretion, extend this period for up to an additional sixty (60) days if the individual is at least 62 years of age and is unable to submit the required documentation within the initial sixty (60) day period.
- 6) If DHA determines that a tenant is otherwise eligible to participate in its program, participation will continue, provided that the tenant submits the required documentation within sixty (60) calendar days from the date on which the certification is executed. DHA may extend this period for up to an additional sixty (60) days, if the individual is at least 62 years of age and is unable to submit the required documentation within the initial sixty (60) day period.
- 7) DHA shall deny eligibility of an applicant in accordance with the provisions governing the program involved, if the applicant does not meet the applicable SSN disclosure, documentation, verification and certification requirements. DHA shall terminate the assistance or tenancy, or both, of the tenant, in accordance with the provisions governing the program involved, if the tenant does not meet the applicable SSN disclosure, documentation, verification, and certification requirements.

2.8 Verification of Statements and Income/Conventional Public Housing and Public Housing Units Within Low Income Housing Developments

All income and asset information for admission and continued occupancy will be verified by DHA, prior to determining eligibility for admission. Verification of family composition will be satisfied by submitting birth certificates from the Bureau of Vital Statistics on all children in the family. Legal child custody papers or other sufficient documentation must be submitted once it has been determined that the mother and father do not live together. For the dependent children listed in the family composition, who are not the children of the head of household or spouse, documentation of legal custody or the written designation of the parent or other person having legal custody of the children must be submitted.

Verification of disability, for application and qualification for “disabled” housing purposes only, will be satisfied by presenting evidence of SSI and Social Security benefits or a doctor’s statement that the individual is disabled. Note: DHA does not consider the applicant, resident “disabled” for purposes of reasonable accommodation except as provided for under the Reasonable Accommodations in Housing Guidelines.

Verification of citizenship will be satisfied by submitting birth certificates or naturalization documents.

When an applicant and/or tenant reports annual income that appears to be less than adequate to support the family composition, or if the family appears to be eligible for income that the family reports they do not receive (e.g. AFDC, welfare, unemployment compensation, child support, etc.) the absence of such income will be verified.

Independent verification of income information may be obtained by the DHA from a SWICA or a Federal agency. DHA shall promptly notify the assistance applicant or participant, in writing, of any adverse findings made on the basis of the information. The assistance applicant or participant may contest the findings in the same manner as applicable to other information and findings relating to eligibility.

Conventional Public Housing. For subsequent re-examinations, the verification process will begin 90 days prior to the anniversary lease date to ensure that current and accurate data are being used in calculating rents. All decreases in income, which affect rent between admission and re-examination, will be verified in accordance with these provisions.

Applicant information verifying that applicant and members of the household is/are eligible for Conventional Public Housing can be no more than ninety

(90) days old in order for applicant to be placed on the waiting list or in housing.

Applicant and/or tenant files will contain documentation of all verifications including, but not limited to, the following:

- 1) DHA must obtain and document in the tenant file third party verification of the following specific items:
 - (a) Reported family Annual Income;
 - (b) The cash value of assets and income derived from assets;
 - (c) Expenses related to deduction from Annual Income; and
 - (d) Any other factors that affect the calculation of Adjusted Income.
- 2) All income, assets, and each applicable deduction or exemption will be verified prior to admission and at each subsequent re-examination or re-determination.

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

- (a) Up-front income verification (UIV)

The UIV system provided by the Office of Public and Indian Housing will assist PHAs with information or verifying income and unemployment compensation information from various sources including current and former employers, State agencies and the SSA. DHA can use additional UIV resources as they become available. This will be done before, during and/or after examination and/or re-examinations of household income as appropriate.
 - (b) Third-party written verification
 - (c) Third-party oral verification
 - (d) Review of documents
 - (e) Certification/self-declaration
- 3) *Conventional Public Housing*. After verification, all required certification documents shall be signed by the applicant or tenant and duly appointed representative of DHA, as appropriate.
 - 4) Additional information required by DHA prior to determining eligibility including, but not limited to, the following:
 - (a) Family composition such as vital statistics birth certificates of all minors and custody papers, if applicable;

- (b) Information that enables DHA to verify the amount of household income;
- (c) Social Security cards or proof of SSN for each member of the family, six years of age or older;
- (d) Military records, if applicable;
- (e) Photo I.D. of Head of Household/spouse;
- (f) If not a citizen of the United States, must provide documentation proving you have legal immigration status in the United States.
- (g) Past and present landlord references (names, addresses, phone numbers)

2.9 Applicants May Be Denied Conventional Public Housing Based on the Following:

- (a) Applicant does not meet any one or more of the eligibility criteria set forth in section 2.3;
- (b) Reference checks and information regarding applicant' s and household members' conduct and behavior, in present or prior housing, demonstrates the applicant and household members can reasonably be expected to:
 - (i) interfere with other tenants in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;
 - (ii) adversely affect the physical environment or financial stability of the project; and
 - (iii) violate the terms and conditions of the lease.
- (c) An applicant' s past performance in meeting financial obligations, especially rent;
- (d) Applicant or any household member has committed fraud in connection with any Federal housing assistance program;
- (e) Applicant or household members, during a previous tenancy, violated any tenant obligations under the Conventional Public Housing program;
- (f) Applicant or a household member have a history of criminal activity involving crimes of physical violence against persons or property and any other criminal acts including, but not limited to, drug-related criminal activity which would adversely affect the health, safety or welfare of other tenants.

- (g) Applicant or household members have a history of disturbance of neighbors, destruction of property, or living or housekeeping habits at present or prior residences that may adversely affect the health, safety, or welfare of other tenants or neighbors;
- (h) Applicant or household members have a record of eviction from housing or involuntary termination from residential programs (taking into account date and circumstances);
- (i) Applicant or household members is/are illegally using a controlled substance;
- (j) Applicant has breached an agreement to pay amounts owed to DHA;
- (k) Applicant's intentional misrepresentation of any information related to eligibility, award of preference for admission, housing history, allowances, family composition or rent;
- (l) Applicant was evicted from public housing, Indian housing, Section 23, or any Section 8 programs because of drug-related criminal activity within the past three years beginning on the date of such eviction;
- (m) Applicant or members of the household abuse alcohol in a way that DHA has reasonable cause to believe it may interfere with the health, safety or right to peaceful enjoyment of the premises by other tenants;
- (n) Applicant or any members of the household do(es) not sign and submit the consent forms for obtaining information as required in 24 C.F.R. §5.230;
- (o) Applicant or members of the household do not meet the applicable SSN disclosure, documentation, verification and certification requirements;
- (p) Applicant or members of the household do not supply information or documentation required by the application process;
- (q) Applicant or members of the household have failed to respond to a written request for information or a request to indicate their continued interest in the program;

- (r) Applicant or members of the household have engaged in or threatened abusive or violent behavior towards any DHA staff or residents;
- (s) HUD regulations require that assistance be denied;
- (t) **Denied for Life:** Applicant or any member of applicant's household is subject to a lifetime registration requirement under a state sex offender registration program; and
- (u) **Denied for Life:** If any applicant, or household member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property.

DHA can deny admission to any applicant or terminate assistance due to any tenant based upon the criteria set forth in subsections (a) through (u) above.

Public housing is a place to live, not a place to deal drugs or to terrorize neighbors. DHA does not want its public housing developments to be under siege by gangs, violent criminals and drug dealers who threaten the safety and welfare of decent, responsible tenants. Therefore, DHA has adopted the "One Strike and You're Out" policy. People living in public housing who engage in drug and other criminal activity will face certain and swift eviction.

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. For example:

1. Evidence of rehabilitation;
2. Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs and the availability of such programs;
3. Evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.

2.10 Notification of Cancellations and Denials for Ineligible Applicants/Conventional Public Housing and Public Housing Units Within Low Income Housing Tax Credit Developments

a) Cancellations

Applicants for the Conventional Public Housing program may be canceled for:

- 1) failure to provide necessary requested information in the required timeframe. Exceptions: flexibility may be granted in those cases where an employer refuses to complete employment verification.
- 2) failure to resolve any dispute concerning alleged debts owed to DHA within a required timeframe.

b) Denials

For admission to Conventional Public Housing the applicant must meet tenant selection criteria set forth in sections 2.3 and 2.4 as defined by DHA.

Applicants for Conventional Public Housing shall be notified of denial or cancellation, in writing, and informed of his/her right to an informal hearing. See section 2.11. Applicants cannot reapply for at least one year from the date of the denial.

2.11 Informal Hearing Process/Conventional Public Housing

- 1) DHA will send prompt written notice to an applicant for Conventional Public Housing notifying him/her that he/she has been denied housing and the reason(s) supporting the determination of ineligibility. The notice will also advise the applicant of his/her right to an informal hearing.
- 2) Whenever a written notice of denial or cancellation is given to an applicant, that notice must state all grounds upon which DHA will rely for the denial or cancellation. If the notice of cancellation is based on an alleged outstanding debt to DHA, the notice will state the development where the debt was incurred and the total amount claimed as due.
- 3) The applicant must request the informal hearing, in writing, to DHA within fourteen (14) calendar days of the date the application was canceled. DHA will then schedule an informal hearing no later than sixty (60) calendar days from the date DHA received the applicant's

written request. If the applicant does not request a hearing in accordance with this paragraph, then DHA' s disposition of the matter shall become final. However, failure to request a hearing shall not constitute a waiver by the applicant of his/her right thereafter to contest DHA' s disposition of the matter in an appropriate judicial proceeding.

- 4) Upon the written request of the applicant or DHA, the hearing may be postponed and rescheduled to the next available regularly scheduled hearing date. This request for postponement must be submitted at least twenty-four (24) hours prior to the scheduled hearing. A hearing may be postponed once. If the applicant fails to appear at the second scheduled hearing, DHA' s disposition of the matter will become final.
- 5) The hearing will be conducted by a member of DHA staff (hereafter referred to as the "Hearing Officer") who did not make the initial decision to cancel or deny the application or a subordinate of that person. During the hearing, DHA' s and the applicant' s witnesses and potential witnesses in the matter may be present, and those persons shall be permitted to observe the entire hearing. The applicant will be afforded a fair hearing and provided the basic safeguards of due process, which shall include:
 - (a) The opportunity to examine before the hearing any DHA documents, including records and regulations that are directly relevant to the hearing. The applicant shall be provided with a copy of any such document at the applicant' s expense, at a rate of \$0.75 per page or the actual cost, whichever is greater. The documents shall not be removed from DHA' s premises. Any document not made available, after the request of the applicant has been received, will not be relied on by DHA at the hearing.
 - (b) The right to be represented by counsel or other person selected as a representative.
 - (c) The right to a private hearing unless the applicant requests a public hearing.
 - (d) The right to present evidence and arguments to controvert evidence relied on by DHA and to confront and cross-examine all witnesses on whose testimony or information DHA relies.
 - (e) A decision based solely and exclusively upon the facts presented at the hearing.
 - (f) The Hearing Officer will consider only those issues presented in the original notice, and will not consider new issues or evidence of which the applicant had no notice.

- (g) No recording of the informal hearing proceeding is allowed unless requested twenty-four (24) hours in advance of the scheduled informal hearing. DHA has the right to record the informal hearing.
- 6) The Hearing Officer will give a final written decision to the applicant. The decision will be mailed to the applicant at the address the applicant has on file with DHA within ten (10) working days after completion of the hearing.
- 7) If the applicant or DHA fails to appear at the scheduled hearing, the Hearing Officer may determine that the party has waived his/her right to a hearing and may make a determination adverse to the absent party. Both DHA and the applicant shall be notified of the determination by the Hearing Officer.
- 8) The hearing will be conducted informally by the Hearing Officer. The Hearing Officer shall require DHA, the applicant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer to obtain order may result in expulsion from the proceedings or in a decision adverse to the interests of the disorderly party, and granting or denial of the relief sought, as appropriate.
- 9) A Hearing Officer may re-open a canceled application for Conventional Public Housing program if the applicant provides the necessary requested information or resolves any dispute concerning an alleged debt owed to DHA or any other agency.
- 10) DHA will provide applicants with an opportunity for an informal review for denial of a request for accommodation, as described in the denial or approval letter sent to the applicant in response to a Request for Accommodation. The applicant must follow all requirements as outlined in the denial or approval letter.

2.12 Selection Preferences For Conventional Public Housing

- 1) Federal Preferences - Pursuant to Section 514 of the Quality Housing and Work Responsibility Act (QHWRA) all Federal selection preferences for the Conventional Public Housing have been eliminated. DHA utilizes only local selection preferences.
- 2) Local Selection Preferences for Conventional Public Housing
 - (a) 40 Transitional homeless families annually
 - (b) Working Families

- (c) Employment Incentive
 - (d) Education or Employment Training
- 3) Selection preference for mixed populations projects.
DHA will give equal preference to elderly families and disabled families in determining priority for mixed-population projects.

2.13 Description of Local Selection Preferences - Conventional Public Housing

- 1) Homeless Transitional Family
A preference for forty (40) homeless transitional families that have been certified as a transitional homeless family.
- 2) Working Families.
Eligible applicants will be selected within income ranges established in accordance with Federal regulation (24 C.F.R. Part 5). No more than 40 percent of annual admissions will be based on this local preference. A local preference shall be given to the following families in descending order of priority:
- a) Income Tier II families, earning between 50% and 80% of the area median income as defined by HUD.
 - b) Income Tier I families, earning from a level established by DHA up to 50% of the median income as defined by HUD.

The Income Tiers are defined by income range and family size, as shown on Addendum 1. Applicants will be selected sequentially from a local preference list. Within each preference list, those with a 1 priority will be selected before those with a 2 priority, and so on. If eligible applicants are in the same Income Tier, applicants will be selected chronologically, based upon the date and time of application.

- 3) Employment Incentive.
A preference for families whose Head of Household or spouse is working a minimum of 20 hours a week or more and has been working for at least one year at the time of application.
- 4) Education or Employment Training.
A preference for families whose Head of Household or spouse has been enrolled in an education or employment and training program for at least six months at the time of application.

- 5) Selection preference for mixed population projects.
DHA will give equal preference to elderly families and disabled families in determining priority for mixed-population projects.

Irrespective of these local selection preferences, tenants entitled to the benefits provided by the Uniform Relocation Act shall have priority over any applicant for placement in housing.

2.14 Qualification and Verification of Claimed Local Selection Preference/Conventional Public Housing

- 1) At the time of application, the family may certify that they are eligible for the local selection preference. An official verification of the claimed selection preference will be requested by the Occupancy Department. It is the applicant's responsibility to ensure that the Occupancy Department receives the verification within the given timeframe.

If official verification is not received within the given timeframe, the applicant will be placed on the waiting list without a preference. The verification is valid for ninety (90) days after receipt. If the applicant is not housed within ninety (90) days, eligibility for the preference must be re-verified.

2.15 Notification of Selection Preference Denial/Conventional Public Housing

If DHA determines that an applicant does not qualify for a local selection preference claimed by the applicant, DHA shall notify the applicant, in writing, within five (5) working days of the determination. The notice shall contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet with a representative of DHA to discuss the determination. The meeting may be conducted by any person or persons designated by DHA, who may be an officer or employee of DHA, including the person who made or reviewed the determination or a subordinate of that person.

2.16 Notification of Conditional Eligibility and Final Eligibility After Attending A DHA Opportunity Center Orientation For Admission to Conventional Public Housing

Initially, each applicant that is eligible will first be considered conditionally eligible and told that, in order to be determined eligible for the Conventional Public Housing program, the applicant must attend a DHA Opportunity Center orientation. Once the applicant has attended an Opportunity Center orientation, the applicant will be considered eligible.

2.17 Notification of Eligibility for Admission/Conventional Public Housing

Each applicant determined to be eligible for admission to the Conventional Public Housing program shall be notified, in writing, of such determination and of the approximate date (if possible) of occupancy, as estimated by DHA at the time of notification. A record of notification shall be maintained by DHA for a reasonable period of time.

2.18 Selection from the Waiting List/Conventional Public Housing

DHA shall follow the statutory requirement that at least 40% of newly admitted families, in any DHA fiscal year, be families whose annual income is at or below 30% of the area median income. To ensure this requirement is met, DHA shall monitor, on a quarterly basis, the incomes of newly admitted families and the incomes of the families on the waiting list. If there are not enough extremely low-income families on the waiting list DHA will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory admission requirement.

2.19 Deconcentration Policy/Conventional Public Housing

It is the policy of DHA to provide for the deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments, pursuant to current HUD regulations, and any subsequent amendments. Toward this end, DHA has instituted local preferences and will continue to affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each DHA fiscal year, staff will analyze the income levels of families residing in each of our developments. Based on this analysis, and the then current HUD regulations, DHA will determine which, if any, DHA developments are above, within, or below the DHA Established Income Range (EIR). Any developments above the EIR will be designated as high-income. Any developments with incomes below the EIR will be designated as low-income. Based on this analysis, DHA will determine the marketing strategies and whether or not additional incentives will have to be developed and implemented to deconcentrate poverty.

2.20 Deconcentration Strategies

DHA may, in its sole discretion, utilize one or more of the following strategies to encourage applicant families whose income classification would

help to meet the deconcentration goals of a particular development: 1) incentives designed to encourage families with incomes below the EIR to accept units in developments with incomes above the EIR, and vice versa; 2) target investments and capital improvements; and 3) continue use of working family preferences. These strategies may be used at different times, or under different conditions, but will always be used in a consistent and non-discriminatory manner.

2.21 Community Service

In order to be eligible for continued occupancy of Public Housing, each adult family member must either: (1) contribute eight (8) hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program, unless they are exempt from this requirement pursuant to DHA' s Community Service Procedure.

2.22 Site-Based Waiting List HOPE VI

A. Villages at Curtis Park

The Villages at Curtis Park is a HOPE VI Redevelopment project. This mixed-income development is managed by a private property management company, and is privately owned by three partnerships (“ CP Owner”). The public housing units at this site are filled using a site-based waiting list. The Villages at Curtis Park application process is opened and closed as needed. Date and time of the applicants pre-application for the site-based waiting list determines placement on the waiting list subject to each local preference and bedroom size category. Integral Management Systems (IMS) implemented the waiting list at the Villages at Curtis Park, which is privately owned. Adoption of a site-based waiting list would not violate any court order, settlement agreement or be inconsistent with a pending HUD complaint. DHA will comply with all the requirements set forth 24 in C.F.R. §903.7(b)(2).

The site-based waiting list allows applicants to move to the development of their choice and will attract a more diverse population with a broader range of incomes to the Villages at Curtis Park.

1) The Occupancy Department informs applicants that the Villages at Curtis Park is a mixed-income community. The applicants will be told that the mixed-income community is comprised of market rate, tax credit and public housing units that are privately managed and that they must go to the Curtis Park management office and place their name on the waiting list if they want to live in this mixed-income community. The site-based waiting list is administered by the CP Owner. DHA staff explains that the applicant

may also fill out a pre-application for housing in any of DHA' s other public housing developments as well.

Each applicant will be provided with full disclosure of any options available in the selection of the development in which to reside, including basic information about available sites (location, occupancy, number and size of accessible units, amenities such as day care, security, transportation, and training programs) and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different sizes and types (e.g., regular or accessible) at each site.

- 2) The site-based waiting list shall contain the following information for each applicant listed:
 - a) Applicant name;
 - b) Family unit size;
 - c) Date and time of pre-application;
 - d) Qualifications for local preference; and
 - e) Racial or ethnic designation of the Head of Household.

- 3) The order of admission to the waiting list will be based on:
 - a) Date and time of application;
 - b) Bedroom size and
 - c) Local preferences.

- 4) Placement on the waiting list will then be prioritized in accordance with the local selection preferences for Conventional Public Housing including a working preference.

- 5) When the Curtis Park site-based waiting list is opened, DHA will ensure that the CP Owner gives public notice, by publication in local newspapers of general circulation and also minority media, that families may apply for housing at the Curtis Park site. The public notice will state when and where to apply. The notice will comply with HUD fair housing requirements. The CP Owner, with DHA' s approval, may adopt criteria defining how families may apply for assistance pursuant to a public notice.

- 6) As part of its Annual Plan, DHA will ensure that the CP Owner assesses changes in the racial, ethnic or disability-related tenant composition at the site that may have occurred during the implementation of this site-based waiting list. This required occupancy data shall be based on Multifamily Tenant Characteristics System (MTCS) data and confirmed by an independent audit.

7) DHA will ensure that the CP Owner uses an independent tester or other means satisfactory to HUD to assure that the system is not being implemented in a discriminatory manner, and that no patterns or practices of discrimination exist. The results of the testing will be submitted to DHA and/or HUD.

8) DHA will ensure that the CP Owner takes any steps necessary to remedy any problems that surface during the review and takes the steps necessary to affirmatively further fair housing.

B. Park Avenue (Benedict Park Place)

Benedict Park Place is a HOPE VI Redevelopment project. This mixed-income development is managed by a private property management company and is privately owned (“PA Owner”). The public housing units at this site will be filled using a site-based waiting list. The Benedict Park Place application process is open and closed as needed. Date and time of the applicant’s pre-application for the site based waiting list will determine placement on the waiting list subject to each local preference and bedroom size category. The management company will implement the waiting list at Benedict Park Place. Adoption of a site-based waiting list would not violate any court order, settlement agreement or be inconsistent with a pending HUD complaint. DHA will comply with all the requirements set forth 24 in C.F.R. §903.7(b)(2).

The site-based waiting list allows applicants to move to the development of their choice and will attract a more diverse population with a broader range of incomes.

1) The Occupancy Department informs applicants that Park Avenue is a new mixed-income community. Applicants will be told that the mixed-income community is comprised of market rate, tax credit and public housing units that are privately owned and managed and that they must go to the Park Avenue site and place their name on the waiting list if they want to live in this mixed-income community. The site-based waiting list is administered by the PA Owner. DHA staff explains that the applicant may also fill out an application for housing in any of DHA’s other public housing developments as well.

Each applicant will be provided with full disclosure of any options available in the selection of the development in which to reside including basic information about available sites (location, occupancy, number and size of accessible units, amenities such as day care, security, transportation, and training programs) and an estimate of the period of time the applicant will

likely have to wait to be admitted to units of different sizes and types (e.g., regular or accessible) at each site.

- 2) The site-based waiting list shall contain the following information for each applicant listed:
 - a) Applicant name;
 - b) Family unit size;
 - c) Date and time of pre-application;
 - d) Qualifications for local preference; and
 - e) Racial or ethnic designation of the Head of Household.

- 3) The order of admission to the waiting list will be based on:
 - a) Date and time of application;
 - b) bedroom size; and
 - c) local preferences.

- 4) Placement on the waiting list will then be prioritized in accordance with the local selection preferences for Conventional Public Housing.

- 5) When the Park Avenue site-based waiting list is opened, DHA will ensure that the management company gives public notice, by publication in local newspapers of general circulation and minority media. The public notice will state when and where to apply. The notice will comply with HUD fair housing requirements. The management company, with DHA's approval, may adopt criteria defining how families may apply for housing pursuant to a public notice.

- 6) As part of its Annual Plan, DHA will ensure that the management company assesses changes in the racial, ethnic or disability-related tenant composition at the site that may have occurred during the implementation of this site-based waiting list. This required occupancy data shall be based on MTCS data and confirmed by an independent audit.

- 7) DHA will ensure that the management company uses an independent tester or other means satisfactory to HUD to assure that the system is not being implemented in a discriminatory manner, and that no patterns or practices of discrimination exist. The results of the testing will be submitted to DHA and/or HUD.

- 8) DHA will ensure that the PA Owner takes any steps necessary to remedy any problems that surface during the review and takes the steps necessary to affirmatively further fair housing.

C. Thomas Bean Towers

Thomas Bean Towers is a HOPE VI Redevelopment project. This mixed-income development is comprised of tax credit and public housing units and is managed by DHA but is privately owned (“ TBT Owner”). The TBT Owner may hire a private management company in its sole discretion. The public housing units at this site will be filled using a site-based waiting list. Adoption of a site-based waiting list would not violate any court order, settlement agreement or be inconsistent with a pending HUD complaint. DHA will comply with all the requirements set forth 24 in C.F.R. §903.7(b)(2).

The site-based waiting list allows applicants to move to the development of their choice and will attract a more diverse population with a broader range of incomes to Thomas Bean Towers.

1) The Occupancy Department informs applicants that Thomas Bean Towers is a new mixed-income community. Applicants will be told that the mixed-income community is comprised of tax credit and public housing units that are privately owned and that they must go to the Thomas Bean Towers site and place their name on the waiting list if they want to live in this mixed-income community.

Each applicant will be provided with full disclosure of any options available in the selection of the development in which to reside including basic information about available sites (location, occupancy, number and size of accessible units, amenities such as day care, security, transportation, and training programs) and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different types (e.g., regular or accessible) at the site.

- 2) The site-based waiting list shall contain the following information for each applicant listed:
 - (a) Applicant name;
 - (b) Family unit size;
 - (c) Date and time of pre-application;
 - (d) Qualification for local preference; and
 - (e) Racial or ethnic designation of the Head of Household.

- 3) The order of admission to the waiting list will be based on either:
 - (a) Date and time of application, or
 - (b) Bedroom size; and
 - (c) Local Preferences.

- 4) Placement on the waiting list will then be prioritized by the local selection preference for Conventional Public Housing.
- 5) When the Thomas Bean Tower site-based waiting list is opened, DHA will ensure that public notice is given, by publication in local newspapers of general circulation and minority media. The public notice will state when and where to apply. The notice will comply with HUD fair housing requirements. DHA may adopt criteria defining how families may apply for housing pursuant to a public notice.
- 6) As part of its Annual Plan, DHA will ensure that the management company assesses changes in the racial, ethnic or disability-related tenant composition at the site that may have occurred during the implementation of this site-based waiting list. This required occupancy data shall be based on MTCS data and confirmed by an independent audit.
- 7) DHA will ensure that the TBT Owner takes any steps necessary to remedy any problems that surface during the review and takes the steps necessary to affirmatively further fair housing.
- 8) In the event the Thomas Bean Tower site has exhausted all qualified individuals on their wait-list, management may offer vacant units to individuals from the DHA Occupancy Department waiting list in accordance with preference standards.

2.23 Site-Based Waiting List – Three Towers

Three Towers is a Capital Fund Grant modernization project comprised of public housing units overlaid with 4% Low Income Housing Tax Credits. The Three Towers project is comprised of three separate public housing developments (Hirschfeld Towers, Mulroy Apartments and Walsh Annex) designated for near-elderly, elderly and disabled individuals with incomes at or below 60% of Denver AMI.

Three Towers will be managed by DHA but is privately owned (“Three Towers Owner”). The public housing units at these sites will be filled using a site-based waiting list. Adoption of a site-based waiting list would not violate any court order, settlement agreement or be inconsistent with a pending HUD complaint. DHA will comply with all the requirements set forth 24 in C.F.R. §903.7(b) (2). The Three Towers site-based waiting list allows applicants to move to the development of their choice and will attract a more diverse population with a broader range of incomes. The site-based

waiting list programs at each of the three sites will be implemented as follows.

- 1) DHA will begin providing site-based outreach services at each site to allow a person(s) to begin and complete the housing application process. The site-based outreach services will include, but not be limited to:
 - Person(s) interested in applying for housing fills out a preliminary application at the select site (DHA anticipates adding an on-line application option in the future).
 - DHA processes preliminary application for CBI, Landlord reference, program eligibility and income eligibility.
 - DHA places applicant on a preliminary application site-based waiting list.
 - When applicants are needed DHA sends out a letter informing applicant to pick up the formal application packet at the designated site.
 - Applicant completes packet and returns completed application.
 - Application is checked for accuracy.
 - Applicant is sent a letter informing them of their pre-approval and the place, date and time for the interview.
 - Applicant is interviewed, and, if approved, placed on the site-based waiting list. If the applicant not approved, a rejection letter is sent.

Each applicant will be provided with full disclosure of any options available in the selection of the development in which to reside including basic information about available sites (location, occupancy, number and size of accessible units, amenities such as security, transportation, and training programs) and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different types (e.g., regular or accessible) at the site.

- 2) The site-based waiting list shall contain the following information for each applicant listed:
 - (a) Applicant name;
 - (b) Family unit size;
 - (c) Date and time of pre-application;
 - (d) Qualification for local preference; and
 - (e) Racial or ethnic designation of the Head of Household.
- 3) The order of admission to the waiting list will be based on either:
 - (a) Date and time of application, or
 - (b) Bedroom size; and

(c) Local Preferences.

- 4) Placement on the waiting list will then be prioritized by the local selection preference for Conventional Public Housing.
- 5) When the Three Towers site-based waiting list is opened, DHA will give public notice, by publication in local newspapers of general circulation that individuals may apply for housing at any of the Three Towers sites. The public notice will state when and where to apply. The notice will comply with HUD fair housing requirements. DHA may adopt criteria defining how families may apply for housing pursuant to a public notice.
- 6) As part of its Annual Plan, DHA will assess changes in the racial, ethnic or disability-related tenant composition at the site that may have occurred during the implementation of this site-based waiting list. This required occupancy data shall be based on MTCS data and confirmed by an independent audit.
- 7) DHA will ensure that the Three Towers Owner takes any steps necessary to remedy any problems that surface during the review and takes the steps necessary to affirmatively further fair housing.
- 8) In the event an individual Three Towers site has exhausted all qualified individuals on their wait-list, management may offer vacant units to individuals from the other Three Tower site-based waiting lists or the DHA Occupancy Department waiting list in accordance with local preference standards.

2.24 Waiting List - Conventional Public Housing

- 1) The waiting list shall contain the following information for each applicant listed:
 - (a) Applicant name;
 - (b) Family unit size;
 - (c) Date and time of application;
 - (d) Qualification for local preference; and
 - (e) Racial or ethnic designation of the Head of Household.
- 2) The order of admission to the waiting list will be based on either:
 - (a) Date and time of application, or
 - (b) A drawing or other random choice technique (i.e., lottery).
- 3) Placement on the waiting list will then be prioritized by the local selection preference for Conventional Public Housing.

4) When DHA opens the public housing waiting list, DHA will give public notice, by publication in local newspapers of general circulation and also minority media that families may apply for the Conventional Public Housing program. The public notice will state when and where to apply. The notice will comply with HUD fair housing requirements and will state any limitations on who may apply. DHA may adopt criteria defining how families may apply for assistance pursuant to a public notice.

5) DHA may, in its sole and absolute discretion, open the waiting list to ONLY certain subcategories of “ Family” as defined in section 1.25.

2.25 Occupancy Guidelines for Conventional Public Housing

1) The following guidelines are used to determine the number of bedrooms required to accommodate a family of a given size without overcrowding or over-housing. These guidelines may be waived, on a case-by-case basis, for legitimate reasons, or if it is necessary to achieve or maintain full occupancy.

<u>Number of Bedrooms</u>	<u>Number of Persons</u>	
	<u>Minimum</u>	<u>Maximum</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8
5	7	10

2) Dwelling units are assigned to avoid the necessity for persons of the opposite sex, other than Head of Household and spouse, to occupy the same bedroom. If necessary, at the time of admission, two (2) children of the opposite sex under the age of six (6) may be permitted to occupy the same bedroom. At the time of admission, the tenant may elect to have one (1) child under the age of three (3) occupy the parent’ s bedroom.

3) For the purposes of determining the number of bedrooms required, every family member, regardless of age, is counted as a person. In determining bedroom size, DHA will include children who are temporarily away at school, or children who are temporarily in foster-care.

2.26 Assignment of Units/Conventional Public Housing

As an applicant approaches the top of the waiting list they shall be assigned an appropriate size unit or accessible unit, if such unit is necessary.

In the event that two or more applicants require the same size or accessible unit, (e.g., two working families requiring a three (3) bedroom unit), the date and time of application will determine which applicant is given the first offer.

DHA has accessible units that are designed to provide specific accommodations to qualified individuals with a disability. When an accessible unit becomes vacant, before offering such unit to a non-disabled applicant, DHA will offer such unit: (a) first, to a current occupant of another DHA unit of the same or comparable project, who has disabilities requiring the accessibility features of the vacant unit and who occupies a unit not having such features, or, if no such occupant exists, then (b) to an eligible qualified applicant on the waiting list who has a disability requiring the accessibility features of the vacant unit, or if no such occupant exists, then (c) to an eligible applicant not having a disability requiring the accessibility features of the unit. However, DHA will require the applicant to agree to move to a non-accessible unit when available, and will incorporate this requirement into the lease. Any family required to transfer will be given a 15-day notice.

At the time the next successive applicant on the waiting list is selected, he/she shall be offered a suitable unit at the development which contains vacancies of the required unit type in accordance with the final deconcentration rule. If the applicant rejects the offer or the applicant fails to make a decision as to whether he/she wants the unit offered within five (5) working days of the time it was offered, then it will be considered that the applicant has rejected the offer. The applicant will then be offered a second suitable unit. If the applicant rejects the second offer or the applicant fails to make a decision as to whether he/she wants the unit offered within five (5) working days of the time it was offered, then it will be considered that the applicant has rejected the second offer. If the applicant rejects the second offer the Occupancy Department will delete the application from the active waiting list

For purposes of this section, an applicant will not be considered to have been offered a unit if:

- a) The unit offered is not the proper size or does not contain the necessary accessible features
- b) The applicant is 62 years of age or older and requested a unit in a building designated as “elderly only,” but was not offered a unit in an “elderly only” building; or

- c) The applicant requires an accessible unit, but was not offered such a unit.

DHA will maintain a record of units offered, including location, date, and circumstances of each offer, and each rejection or acceptance for a reasonable time. DHA will note the reason for any rejection.

2.27 Housing Assistance Limitation for Single Persons/Conventional Public Housing

A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family may not be provided:

- (1) For public housing and other project-based assistance, a housing unit with two or more bedrooms.

2.28 Determination of Total Tenant Payment and Tenant Rent/Conventional Public Housing

1) Family Choice (*Public Housing only*):

- a) At admission and each year in preparation for their annual re-examination, each family is given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount.
- b) Families who opt for the flat rent will be required to go through the income re-examination process every year, rather than the annual review they would otherwise undergo. The following flat rents apply to DHA' s public housing developments:

<u>Unit Size</u>	<u>Flat Rent</u>
Efficiency	\$ 513
One Bedrooms	\$ 650
Two Bedrooms	\$ 754
Three Bedrooms	\$ 1,175
Four Bedrooms	\$ 1,250
Five Bedrooms	\$ 1,325

- c) Families who opt for the flat rent may request to have a re-examination and return to the formula based method at any time for any of the following reasons:
 - 1) The family' s income has decreased because of changed circumstances due to loss or reduction of employment; death of a family member who contributes to the income of the family; or reduction in or loss of earnings or other assistance.

- 2) The family' s circumstances have changed increasing their expenses for childcare, medical care, transportation, education or similar items.
- 3) Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

DHA will switch the family' s rental payment from flat rent to income-based rent after verifying the basis for the financial hardship based on policies.

- 2) The Formula Method-Public Housing Only.
 - a) The total tenant payment is equal to the highest of:
 - 1) 10% of Monthly Income;
 - 2) 30% of Monthly Adjusted Income; or
 - 3) The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of \$25 for Public Housing.

In the case of a family who has qualified for the income exclusion, upon the expiration of the 12-month period described in section 2.38(h)(1), an additional rent benefit accrues to the family.

- 3) Minimum Rent Public Housing
 - a) DHA has set the minimum rent at \$25 for the Public Housing Program. However, if a family requests a hardship exemption, DHA will immediately suspend the minimum rent for the family until DHA can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.
 - 1) A hardship exists in the following circumstances:
 - i) When the family has lost eligibility for or is waiting for an eligibility determination for a Federal, State or local assistance program;
 - ii) When the family would be evicted as a result of the imposition of the minimum rent requirement;
 - iii) When the income of the family has decreased because of changed circumstances, including loss of employment;
 - iv) When the income of the family has decreased because of changed circumstances for medical costs,

childcare, transportation, education, or similar items;

- v) When a death has occurred in the family;
- vi) Other situations as determined by DHA or HUD.

4) Minimum Rent Exceptions for Hardship Circumstances

- 1) Once a tenant requests a hardship waiver, DHA cannot take any adverse action against the tenant for 90 Days.
- 2) If DHA determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension and is due immediately.
- 3) Temporary hardship. If DHA reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90-days from the date of the family' s request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. DHA will offer a repayment agreement for any rent not paid during the period of suspension. During the suspension period DHA will not evict the family for non-payment of the amount of rent owed for the suspension period. DHA may request reasonable documentation of hardship.
- 4) Long-term hardship. If DHA determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.

If a tenant in occupancy has qualified for one of the mandatory hardship exemptions, DHA must make arrangements to reimburse the tenant for the overpayment by providing a cash refund or otherwise offsetting future rent payments.

2.29 Leasing of Units/Conventional Public Housing

- 1) Prior to admission, the lease shall be signed by the Head of Household and spouse and subsequently executed by a duly authorized representative of DHA. All members of the household over the age of 18 must sign the “ Authorization for the Release of Information/Privacy Act” form (HUD 9886 7/94).

- 2) Prior to admission and to signing the lease, a physical inspection of the unit will be made by the prospective tenant and a representative of DHA to note any deficiencies.
- 3) The lease shall remain current at all times and must be in compliance with DHA policies as well as local, state and federal laws and regulations.
- 4) Notices of rent adjustment (or lease change clause), which amend the dwelling lease, shall be signed by a duly authorized representative of DHA and the tenant. However, the rental adjustment shall be effective as stated in the notice even if the notice of rent adjustment or lease change clause is not signed by the tenant.
- 5) *Remaining Family Member*: If, for any reason, the signator(s) of the lease cease(s) to be a member of the tenant family, the lease shall be rendered null and void. DHA will review the Remaining Family Member's eligibility for tenancy and has the right to refuse to enter into a lease with the Remaining Family Member who does not meet the applicable eligibility criteria set forth in section 2.3. Remaining Family Members may be required to move to a smaller unit if their current unit is too big once the other family members have vacated.
- 6) *Live-In-Aide*: A Live-In-Aide does not qualify as a Remaining Family Member. See Section 1.37 for more details.
- 7) If, during any period in which the lease agreement is in effect, there is a change in the tenant's status or rent, which results in the need to amend provisions of the lease, one of the following shall occur:
 - (a) The existing lease will be canceled and a new lease executed; or
 - (b) An amendment to the existing lease shall be executed; and
 - (c) All copies of lease amendments shall be signed by a tenant and a duly authorized representative of DHA and a copy maintained in the tenant file.
- 8) If a tenant family transfers to a different dwelling unit in the same, or another public housing development operated by DHA, the existing lease shall be canceled and a new lease executed by the Head of Household and a DHA representative, for the dwelling unit into which the family is moving.

- 9) A security deposit will be required and shall be payable at the time the lease is signed. The amount of the security deposit will be an amount approved by DHA' s Board of Commissioners.
- 10) DHA shall perform a physical inspection of all dwelling units according to established inspection policy and procedures, but no less frequently than once a year. Copies of all inspections shall be maintained in the tenant' s file.

2.30 Transfer Criteria/Conventional Public Housing

Tenants will receive priority for transfers, over applicants, for vacancies in all public housing. However, only the following types of transfers will be granted:

1. Administrative Transfers – These transfers include mandatory transfers, such as emergency and relocation transfers, as well as some tenant initiated transfers.
 - (a) Emergency – necessitated by an immediate, verifiable threat to life, health or safety of the resident or family members, such as unit uninhabitable due to fire, etc.
 - (b) Relocation – transfers for relocation efforts by DHA will be given priority, after Emergency transfers, and include, but are not limited to, programmed units, modernization, demolition, and changing units to homeownership units.
 - (c) Health – a reasonable accommodation is required for all Health transfer requests. The forms (Request for Accommodation and Health Providers Verification) can be printed off the internet. The 504 Coordinator must approve all requests for accommodations. (Examples may include: need an accessible unit, ground floor unit, etc.)
 - (d) Non-Disabled – a transfer will be required when a non-disabled household is residing in an accessible unit and there is a disabled household in need of the accessible unit.
 - (e) Under-housed – household needs a larger unit.
 - (f) Over-housed – household needs a smaller unit.
2. Tenant Requested Transfer – These transfers are initiated by the tenant and approved in the sole and absolute discretion of DHA for the following reasons:

- (a) Employment – employment, education, or training is dependent upon the need to be closer to the appropriate location.
- (b) Upward mobility – transfer will be considered for tenants who meet the basic transfer criteria and have the potential to be a participant in DHA’ s Homeowner Program.
- (c) Elderly-Designated – tenants requesting transfers to building approved as designated for elderly must meet the basic transfer criteria and the age requirement of 62 years of age or older.
- (d) Other – for other extraordinary reasons, if recommended by Manager and Management Supervisor.

Note: DHA does not make “ split family” transfers.

The following conditions shall exist before a transfer will be granted:

Tenant and all family members:

- 1) Have not engaged in criminal activity that threatens the health and safety of tenants or staff; and
- 2) Do not owe back rent or other charges, not including repayment agreements, or have a pattern of late payment; and
- 3) Meet reasonable housekeeping standards; and
- 4) Can get utilities turned on in the name of head of household; and
- 5) Must have been a DHA resident for at least one year (transfers for reasonable accommodation or health and safety excluded).

Exceptions to the criteria may be made for emergency transfers or when it is DHA’ s best interest (e.g., a single person is living alone in a three bedroom unit and does not want to move) to require the transfer. The exception to the criteria will be made by the Central Transfer Administrator taking into account the recommendation of the Manager.

Transfers may be approved for other extraordinary reasons if recommended by Managers and approved by the Chief Operating Officer Public Housing.

In order to determine the priority in which transfer requests will be considered, the criteria set forth above are given different numerical weights. Tenants who meet the transfer criteria and are placed on the waiting list must continue to meet the criteria while waiting for the

transfer. Failure to maintain the eligibility for a transfer will result in removal of the tenant from the transfer waiting list until they meet the required criteria.

Transfers between Conventional Public Housing and buildings owned by DHC will only be approved to accommodate health/special needs. However, the tenant must meet the eligibility criteria for the Project Based Section 8 program and the Low Income Housing Tax Credit (“LIHTC”) program.

The provisions listed above are to be used as a guide to ensure fair and impartial means of assigning units for transfers. This policy does not create a property right or any other type of right for a tenant to transfer or refuse to transfer.

2.31 Re-Examinations/Re-Determinations/Conventional Public Housing

Annually and at interim periods, as circumstances may require, the tenant will furnish information and certifications to DHA as to family income, employment, and family composition. This information will be used by DHA for determining if the rent should be changed and if the dwelling unit is still appropriate for the tenant’s needs. DHA has set the minimum rent at \$25 for the Public Housing Program. However, the minimum rent may be increased as determined by resolution of the Board of Commissioners. For families who pay an income-based rent, a re-examination shall be conducted at least annually.

- 1) Annual income is determined by all amounts, monetary or not, which:
 - a) Go to, or on behalf of, the family head or spouse (even if temporary absent) or to any other family member: or
 - b) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examinations effective date; and which are not specifically excluded. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

- 2) Allowable deductions when calculating rent:
 - a) \$480 for each household member who is under 18 years of age, or is over 18 and has a disability, or is a full-time student.

- b) \$400 per family for all families in which the head or spouse is at least 62 years of age or disabled.
- c) Reasonable childcare expenses for the care of children, including foster children, under the age of 13 if the care is necessary to enable a family to work or further his/her education. If childcare is used for seeking employment, the names, addresses and phone numbers are required of applications submitted.
- d) Disability assistance expenses are allowed for family members with disabilities if such expenses enable a family member to work (including the person with a disability)
- e) Medical expenses are allowed only for households where the head or spouse is at least 62, or has a disability. If the household is eligible for a medical expense allowance, the medical expenses of all family members are counted.

3) Flat Rent

Residents who choose the flat rent provision are only required to have a rent review once every three years, but the household composition must be reviewed annually.

Annual rent review is still required for all residents on an income based rent.

Flat rent schedule:	<u>Unit Size</u>	<u>Flat rent</u>
	Efficiency	\$ 513
	One Bedroom	\$ 650
	Two Bedroom	\$ 754
	Three Bedroom	\$ 1,175
	Four Bedroom	\$ 1,250
	Five Bedroom	\$ 1,325

Residents who choose the flat rent option may immediately switch to an income-based rent if, due to financial hardship, the resident is unable to pay the flat rent amount. The interim rent reduction should occur no later than the first of the month following the month the family reported the hardship.

4) Minimum Rent

There is a \$25 minimum rent for all Conventional Public Housing households.

All family members ages 18 or older claiming no income must sign the “ Declaration of No income” Thaccd form # 313 and meet bi-monthly with the authorized DHA representative to fill out a Zero Income Worksheet.

5) Re-determination of rent as a result of a reduction of welfare benefits.

According to the new Quality Housing and Work Responsibility Act of 1998, a re-determination of rent will not be done and the rent will not be decreased where a decrease in income is the result of noncompliance with the conditions of public assistance, or where public assistance is decreased due to an act of fraud by a member of a covered family.

6) Disallowance of Earned Income

The new Quality Housing and Work Responsibility Act of 1998 effective October 1, 1999 exempts earned income for qualified families who start work or self-sufficiency programs. The rent cannot be increased for a period of 12 months if the increase in income results from;

- a) Earnings of a previously unemployed family member. Previously unemployed person includes a person who has earned, in the previous twelve months, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage. ($\$5.15 \text{ per hour} \times 10 \text{ hours} = \$51.50 \text{ per week} \times 50 \text{ weeks} = \2575 per year)
- b) Earnings of a family member during participation in a self-sufficiency or job training program. (this does not apply to residents currently participating in DHA’ s Family Self Sufficiency Program)
- c) Earnings of family member that had been receiving TANF in the previous six months. The total amount of TANF received over the six-month period must be at least \$500.

7) Re-Determination Procedure

- a) All residents are required to report changes in family composition and/or income in writing within ten (10) days of their occurrence.
- b) Interim re-examinations are always required when there is a change in family composition and a new lease effecting the change must be executed. If the change in family composition would result in a decrease in rent, the decrease would be effective the first of the month following notification.
- c) Interim re-examinations will not be required if an increase in income does not exceed \$200.00 per month. If the increase in income is greater then \$200.00 per month an interim re-examination must be processed and the effective date of the increase would be the first of the second month following notification.

8) Income to be INCLUDED for rent examination/determination

- a) Employment Income (gross wages prior to payroll deductions, includes overtime, commissions, fees, bonuses, tips)
- b) Asset Income (interest, dividends, net income from property)
- c) Alimony or Child Support
- d) Annuities
- e) Unemployment Compensation
- f) Workman Compensation
- g) TANF
- h) General Assistance
- i) Social Security (gross prior to Medicare deduction)
- j) SSI

- k) Military Pay
- l) REGULAR contributions or gifts received from organizations or from organizations or from persons not residing in the unit.
- m) Income from Business (self -employed) or Real or Personal Property.
- n) Net income equals gross income less expenses.
- o) Lump Sum Payments

Assets: Lump-sum additions to family assets, such as inheritance, insurance payments (including payments under health and accident insurance and worker' compensation), capital gains and settlement for personal or property losses are considered as assets and are not included as income.

Income: Lump –sum payments caused by delays in processing periodic payments (unemployment, workers' compensation, welfare assistance benefits) are counted as income.

- p) Temporarily Absent Family Members

Income must be counted of every family member who is on the lease, including those who are temporarily absent. (head or spouse or other family member may be in the Armed Forces, away at college, etc.)

- 9) Income to be EXCLUDED for Rent Determination/Examination
 - a) Exclude only employment income of minors (benefit income such as SS, SSI, TANF is counted). For income eligibility at admission, employment income of children under the age of 18 must be counted and if eligible the employment income is deducted to determine rent.
 - b) Foster child or foster adult care payments (foster adult is usually a disabled person unrelated to the tenant family, who is unable to live alone

- c) Medical reimbursements
- d) Live-in Aide income, to be eligible for this exclusion must meet all three of the following conditions:
 - (1) Is determined to be essential to the care and well-being of the person;
 - (2) Is not obligated for the support of the person; and
 - (3) Would not be living in the unit except to provide the necessary supportive services.
- e) Full amount of student financial assistance (includes work study) paid directly to the student or education institution
- f) Hazardous pay (part of military pay when exposed to hostile fire)
- g) Amounts paid to welfare recipients to participate in welfare job training programs (transportation expenses or incentive payments for example)
- h) PASS income paid to SSI recipients to achieve self – sufficiency
- i) Amounts received under training programs funded by HUD, such as CIAP and COMP grant tenant training programs.
- j) Resident services stipend not to exceed \$200 per month paid to a resident for performing part-time services to enhance the quality of life in the development.
- k) Sporadic income for example: Monetary gifts for holidays and birthdays. Nonrecurring income such as work earned mowing a lawn one time, cleaning a home one time, or babysitting one time. Employment income which is in totality is LESS than 30 days a year.
- l) Exclude earnings in excess of \$480 for full time students 18 or older, this exclusion does not apply to head of household or spouse.

- m) Adoption assistance payments in excess of \$480 per adopted child.
- n) Incremental earnings/benefits from state or local employment training programs. (Incremental means the difference between total amount of welfare and earnings prior to enrollment in the training program and the amount after enrollment in the training program)
 Training Programs for example:
 Class-room training
 On-the-Job training not to exceed six (6) month,
 Unless it is a mandate exclusion under Title V.
 HUD funded training programs
 Job Training or the Workforce Investment Act 1998
 Job Corps
 Veterans' employment programs
 City and State job training programs
 Intern programs
- o) Refunds or rebates for property taxes on dwelling unit.
- p) FEDERALY – MANDATED EXCLUSIONS

Food stamp allotments (cash or coupons)

Payments to Volunteers under the Domestic Volunteer Services Act of 1973(Vista, Foster Grandparents, Senior Companions)

Low-Income Home Energy Assistance Program (program to help pay utility bills)

Payments received under programs funded by the Job Training Partnership Act, this includes AmeriCorps

Grants/Scholarships under Title IV of Higher Educational Act of 1965

Payments funded under Title V of Older Americans Act (Seniors Inc.)

Earned income tax credits

Special Indian Tribe exclusions:

Income from US land held in trust for certain Indian tribes
Maine Indian Claim Settlement of 1980
Grand River Band of Ottawa Indians
First \$2000 per capita shares from funds held in trust for
an Indian tribe by Secretary of Interior

- 10) Rent is determined at time of move-in and remains in effect for the period between regular rent re-examinations, unless during this period any of the following occur:
- a) A decrease occurs in gross household income. All changes must be reported to DHA within ten (10) days of the change.
 - b) New income source or an increase occurs in gross household income. All changes must be reported to DHA within ten (10) days of the change.
 - c) A change in family composition which shall mean an increase or decrease in the number of household members listed on the lease. Such change must be reported to DHA within ten (10) days of the change.
 - d) Tenant begins to receive public assistance or public assistance is terminated. Such a change must be reported to DHA within ten (10) days of the change. However, a monetary sanction administered by the Department of Human Services, which decreases a tenant's monthly benefits, is not cause for rent re-determination.
 - e) If the amount of welfare is reduced specifically because the family engaged in fraud or failed to comply with an economic self-sufficiency or work activities requirement, the public housing rent cannot be reduced based on the benefit reduction. This provision is not applicable if the reduction is neither the result of the expiration of a lifetime limit on receiving benefits nor a situation where the family has complied with welfare program benefits but cannot obtain employment.

When DHA receives a request for income re-examination and rent reduction predicated on a reduction in tenant income from welfare, it may deny the request only after having written verification from the welfare agency that the family's benefits have been reduced because of non-compliance with an economic self-sufficiency program or work activity requirement or because of fraud.

- f) Discovery that the tenant has misrepresented the facts upon which the rent is based, and the tenant is paying less than they should have been charged. In this case, the increase in rent shall apply retroactively. Repayment arrangements may be made in accordance with DHA policy. Repayment arrangements must be made with DHA or the lease may be terminated. Additionally, failure to make payments on the repayment agreement in a timely fashion will be cause to terminate the lease. If tenant intentionally misrepresents facts upon which rent is calculated a second time, it will be cause to terminate the lease.
- g) If, at the time of admission or re-examination, due to unusual circumstances, projected annual income cannot be determined with any reasonable degree of accuracy, a temporary rent for a specified period not to exceed ninety (90) days may be established. At the expiration of the specified period, the income becomes stable, a new rent will be established. DHA will continue to conduct periodic reviews as often as necessary to determine the rent.
- h) 1) *Public Housing Only* DHA must not increase the annual income of an eligible family as a result of increased income due to employment during the 12-month period beginning on the date on which the employment is commenced. Eligible families are those that reside in public housing:
- (a) Whose income increases as a result of employment of a family member who was previously unemployed for one or more years. For purposes of this section, “previously unemployed” includes a person who has earned, in the previous twelve months, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.
 - (b) Whose employment income increases during the participation of a family member in any family self-sufficiency or other job training; or
 - (c) Who is or was, within 6 months, assisted 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 DHA in

consultation with the local TANF agency, and whose earned income increases.

- 2) Phase-in of rent increases. Upon expiration of the 12-month period described above, the rent payable by a family may be increased due to continued employment of a family member except that for the 12-month period following expiration of the initial 12-month disallowance, the increase may be based on only 50% of the family member's increased income.
- 3) Each year at the time of the annual re-examination, the family has the option of selecting a flat rent amount in lieu of completing the re-examination process and having their rent based on the formula amount. Families paying flat rent shall have income reviews every year.
- 4) In the case of an interim re-determination, and the rent decreases, the adjustment will become effective the first day of the month following the re-determination. In the event of rent increase, the adjustment will take effect the first day of the second month following the re-determination, unless the rent increase results from a finding of intentional misrepresentation under subsection 1(e) of this section.
- 5) Changes in rent resulting from a scheduled re-examination will become effective on the anniversary date of the tenant's admission to Conventional Public Housing.
 - i) An interim re-examination will not be required if an increase in income does not exceed \$200.00 per month and is reported within 10 days of the change if the income is from a new source. If the increase in income is greater than \$200.00 per month, an interim re-examination must be processed and the effective date of the increase will be the first of the second month following notification.
 - j) In the case of an interim re-determination, and the rent decreases, the adjustment will become effective the first day of the month following the re-determination. In the event of rent increase, the adjustment will take effect the first day of the second month following the re-determination, unless the rent increase results from finding of intentional misrepresentation under subsection 1(e) of this section.

- k) Changes in rent resulting from a scheduled re-examination will become effective on the anniversary date of the tenant's admission to Conventional Public Housing.

2.32 Addition of Household Member or Live-In-Aide to Lease/Public Housing

a) In order to add a household member, other than through birth or adoption, the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their social security number, if they have one, and must verify their citizenship/eligible non-citizen status. Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.

A new family member will be required to go through the screening process similar to the process for applicants. DHA will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, the tenant will be advised of his/her right to invoke the grievance procedure. If they are found to be eligible and meet the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member.

b) In order to add a Live-In-Aide to the household, the head of household must request an accommodation, in accordance with DHA's Reasonable Accommodation in Housing Guidelines, and the request must be approved in writing by the 504 Coordinator, prior to the addition of a Live-In-Aide to the lease. The Live-In-Aide must provide their social security number, if they have one, and must verify their citizenship/eligible non-citizen status. Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.

A Live-In-Aide is not a member of the tenant's family, as defined in Section 1.26 of this policy or federal regulation. The Live-In-Aide is not required to meet all Conventional Public Housing eligibility requirements such as, by way of example and not limitation, income eligibility. However, the Live-In-Aide must undergo a criminal history background check, which may affect his/her eligibility to become a Live-In-Aide. Prior to being added to the lease the Live-In-Aide and tenant must complete the Live-In-Aide Acknowledgment. The Live-In-Aide's income is not included in the family's income. When the individual needing the support services leaves the unit or

fails to qualify for continued occupancy, the Live-In-Aide can no longer live in the unit and has no right to continued occupancy as a Remaining Family Member.

2.33 Misrepresentations/Conventional Public Housing

The tenant will be notified, in writing, of any misrepresentations or lease violations discovered during the re-examination, rent review, or at other times. The applicant, tenant certifies that accurate information has been provided regarding family composition, income, net family assets, allowances and deductions. Any misrepresentation is a violation of Federal regulations and shall result in lease termination and/or punishment under Federal law.

2.34 Designated Housing for Elderly Only

In accordance with 24 C.F.R. Part 945, HUD approved the designation of the following buildings for occupancy by the elderly only: Barney Ford, Walsh Manor, and the North Lincoln Park Homes Midrise. In the future, any other properties designated as elderly only by HUD shall, upon passage of a Board resolution, automatically be incorporated into this Policy. Applicants must be 62 years of age or older to be eligible to live in these designated buildings.

2.35 Pet Ownership

DHA has established the following pet policies: 1) Pet Policy for Elderly/Disabled Developments; and 2) Family Housing Pet Policy. These policies are available for review upon request to the building manager.

Consistent with 24 C.F.R. §5.312(b), DHA will provide appropriate notice to each applicant, when he/she is offered a dwelling unit in a building designated for “elderly only” or a high-rise designated for the elderly and persons with disabilities stating that: 1) tenants are permitted to own and keep common household pets in their dwelling units, in accordance with the Pet Policy for Elderly/Disabled Developments; 2) assistance animals that are used to assist persons with disabilities are excluded from this policy, see 2.46 Assistance Animals; and 3) tenants may at any time request a copy of the current Pet Policy for Elderly/Disabled Developments.

Pursuant to 24 C.F.R. 960 Subpart G, a resident of a public housing dwelling unit may own a common household pet in accordance with DHA’s Family Housing Pet Policy and dwelling lease. Assistance animals are specifically excluded from this policy, see 2.46 Assistance Animals.

2.36 Assistance Animals

Federal regulation requires DHA to allow, as a reasonable accommodation, a qualified person with a disability to own and keep an

“ assistance animal” (also referred to as service animal or companion animal) on DHA’ s premises. An assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability; or animals that provide emotional support that alleviate one or more identified symptoms or effects of a person’ s disability. An assistance animal is not considered a pet and therefore is not subject to DHA’ s Pet Policies. All individuals requesting an assistance animal must request an accommodation, in compliance with the Reasonable Accommodation in Housing Guidelines, as modified from time to time.

All qualified individuals with a disability approved to own and keep an assistance animal must execute an Assistance Animal Agreement. Additionally, dogs and cats must have all inoculations required by law, and be certified by a veterinarian licensed to practice in the State of Colorado. All assistance animals must have a tag attached to the animal’ s collar showing that the animal has been inoculated with anti-rabies vaccine and has been properly licensed. The dog or cat shall wear the collar at all times.

Assistance animals may not be a nuisance or a wild or dangerous animal, as determined by DHA in its sole and absolute discretion, or as defined in the Denver Revised Municipal Code. By way of example and not limitation, a vicious dog or one which howls and barks incessantly will be excluded, even if the animal is certified or trained. Additionally, the tenant must maintain good sanitary conditions in their unit, public and common areas (for example, immediate removal of all animal waste) with respect to the assistance animal; and is financially responsible for any damage caused by the assistance animal. However, because an assistance animal is not a pet, DHA will not require the owner of an assistance animal to pay a pet deposit.

2.37 Order of Precedence

This Admissions and Occupancy Terms and Policies define DHA’ s policies for the Public Housing program, incorporating Federal, State, and local law. If there is any conflict between this Policy and Federal law or HUD regulations, the laws and regulations shall prevail. If there is any conflict between this Policy and the dwelling lease or the grievance procedure, the dwelling lease or the grievance procedure shall prevail.

2.38 Services for Non-English Speaking Applicants and Residents

DHA has developed the Housing Authority of the City and County of Denver Language Assistance Procedure (“ LAP”) to ensure that all programs, services, and benefits are accessible to eligible individuals who, as a result of national origin, are limited in their English proficiency. This procedure outlines: 1) the process for determining the language needs of the population served; 2) the process for determining what documents are vital and will be

translated; 3) provision of interpretation services for non-translated documents; 4) procedures for securing a certified interpreter; 5) how LEP Persons can access interpreter services; and 6) DHA' s right to certify that an individual is limited English proficient, prior to providing specific interpretation or translation services.

2.39 Paragraph Headings

The captions and headings set forth herein are for convenience of reference only, and shall not be construed so as to define or limit the terms and provisions hereof.

2.40 Violence Against Women and Department of Justice Reauthorization Act of 2005

The purpose of this Act is to protect the safety of victims of domestic violence, dating violence, sexual assault, and stalking who reside in public housing and ensure that such victims have meaningful access to the criminal justice system without jeopardizing such housing. The Act creates long-term housing solutions that develop communities and provides sustainable living solutions for victims of domestic violence, dating violence, sexual assault and stalking. This allows public housing agencies to build collaborations among victim service providers and to provide appropriate services, interventions and training to address the housing needs of victims of domestic violence, dating violence, sexual assault and stalking. The Act also enables public housing agencies to respond appropriately to domestic violence, dating violence, sexual assault and stalking while maintaining a safe environment for all housing residents.

This Act amends the United States Housing Act of 1937 with regard to the Public Housing Program in the following ways:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence.
2. Criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant' s household or any guest or other person under the tenant' s control, shall not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate member of the tenant' s family is a victim of that domestic violence, dating violence, or stalking.

3. DHA may bifurcate a lease in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant.
4. DHA retains the right to evict a tenant for any violation of a lease not premised on the act or acts of violence in question against the tenant or a member of the tenant's household, provided that DHA will not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate a tenancy.
5. DHA retains the right to evict a tenant if it can be demonstrated that there is an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant's tenancy is not terminated.
6. DHA may request that an individual certify via a HUD approved certification form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the Act. Such certification shall include the name of the perpetrator. The individual shall provide the certification within 14 business days after DHA requests it.
7. If the individual fails to provide the certification discussed in paragraph 10 above within 14 business days of a request, DHA may evict any tenant or lawful occupant that commits a violation of the lease. DHA may extend the 14 day deadline at its discretion.
8. An individual may satisfy the certification requirement discussed above in paragraph 6 by: 1) providing DHA with documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation; or 2) producing a federal, state, tribal, territorial, or local police or court record.
9. All information provided to DHA relating to the fact that an individual is a victim of domestic violence, dating violence, or

stalking, shall be retained in confidence, except to the extent that disclosure is:

- a. requested or consented to by the individual in writing;
- b. required for use in an eviction proceeding; or
- c. otherwise required by applicable law.

The following are additional requirements regarding requests for emergency transfers that are the result of domestic violence, dating violence, or stalking:

1. Tenant initiated emergency transfers that are the result of domestic violence, dating violence, or stalking will only be approved if they are accompanied by documentation acceptable to DHA substantiating the domestic violence, dating violence, or stalking.
2. Whenever a tenant is granted an emergency transfer that is the result of domestic violence, dating violence, or stalking, the perpetrator of such violence or stalking will be automatically barred from the tenant's previous residence, the tenant's new residence, and all of the tenant's subsequent residences pursuant to the DHA No Trespass/Barring Procedure.
3. A tenant who is granted an emergency transfer that is the result of domestic violence, dating violence, or stalking who subsequently allows a barred perpetrator of such violence or stalking onto the property in violation of the DHA No Trespass/Barring Procedure will be in violation of his/her lease and subject to possible eviction.

2.41 Rent Policies and Procedures

The following policies and procedures regarding the payment and collection of rent apply to DHA's conventional public housing program. DHA will comply with all requirements in the Housing Authority of the City and County of Denver Procedure Manual, Section 03-H.M. Rent Collection Procedure.

- 1) Rent is due on the first day of the month. It is considered delinquent if it is not paid within the first (5) working days of the month for the Public Housing Program. Rent is due within the first (5) calendar days for the DHC properties.
- 2) Rent may include utilities as described in the lease.

- 3) Payment must be in the form of a check or money order, no cash is accepted. Once a resident has paid by personal check and the check is returned by the bank for insufficient funds, the resident will be charged a returned check fee and the Manager will no longer accept a personal check from that resident. DHA will only accept payment in the form of a Certified Check, Money Order or Cashier' s Check.
- 4) The resident is required to pay the full amount of rent due; partial payment will not be accepted.
- 5) Three (3) late payments within a twelve (12) month period shall constitute a serious violation of the material terms of the lease, for which DHA may terminate the lease. Tenants shall pay the full amount of rent and other charges when due, without deduction or offset for any amount which the tenant claims DHA owes to the tenant, until any such deduction or offset is approved by DHA.
- 6) DHA business hours are from 8:00 a.m. to 4:30 p.m. Mon. - Fri. except for holidays. All rent and other charges are due and payable in the development office by 4:30 p.m. on the date due. DHA will not accept cash.
- 7) Once a tenant has been served with a Demand for Payment of Rent or Possession, DHA will not accept payment for the amount of rent specified in the demand in the form of a personal check. DHA will only accept payment in the form of a Certified Check, Money Order or Cashier' s Check.
- 8) At the discretion of the Denver Housing Authority repayment agreements may be entered into between DHA and the resident. The Manager is responsible for the recommendation in cases where there is a large maintenance charge or back rent. No more than one repayment agreement will be allowed for back rent resulting in unreported income, if unreported income is discovered a second time the resident will be required to pay the full amount or be subject to eviction.

Additional policies and procedures regarding the calculation and payment of a tenant' s rent are contained in the lease and the Denver Housing Authority Housing Management Procedure Manual.

Addendum 1

Working Family Income Tier Ranges for Admission to Conventional Public Housing

<u>Family Size</u>	<u>Tier I</u>	<u>Tier II*</u>
1	\$10,001 - \$22,500	\$22,501 - \$36,050
2	\$11,001 - \$25,750	\$25,751 - \$41,200
3	\$12,001 - \$29,000	\$29,001 - \$46,350
4	\$13,001 - \$32,200	\$32,201 - \$51,500
5	\$14,001 - \$34,800	\$34,801 - \$55,650
6	\$15,001 - \$37,350	\$37,351 - \$59,750
7	\$16,001 - \$39,950	\$39,951 - \$63,900
8	\$17,001 - \$42,500	\$42,501 - \$68,000

*Upper income range indicates admission limits.

**SECTION 8 HOUSING PROGRAMS
ADMINISTRATIVE PLAN
OF
THE HOUSING AUTHORITY OF THE
CITY AND COUNTY OF DENVER,
COLORADO**

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SECTION 1
SECTION 8 PROGRAM DEFINITIONS

SECTION 8 PROGRAM DEFINITIONS

This section contains definitions of terms used in connection with admission and continued occupancy of the Section 8 housing program operated by the Housing Authority of the City and County of Denver (“DHA”).

1.1 1937 Act

1937 Act means the United States Housing Act (42 U.S.C. 1437 *et seq.*).

1.2 Adjusted Income

Adjusted income means annual income (as determined by DHA), of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

Mandatory Deductions

- (a) \$480 for each Dependent (see definition of Dependent);
- (b) \$400 for any elderly family or disabled family;
- (c) The sum of the following, to the extent the sum exceeds three percent of annual income: (i) unreimbursed medical expenses of any elderly or disabled family; and (ii) unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus; and
- (d) Any reasonable childcare expenses necessary to enable a member of the family to be employed or to further his or her education.

1.3 Annual Income

- (a) Annual income means all amounts, monetary or not, which:
 - 1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
 - 2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
 - 3) Which are not specifically excluded in paragraph (c) of this section.
 - 4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.
- (b) Annual income includes, but is not limited to:

- 1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- 2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- 3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- 4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);
- 5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);
- 6) *Welfare assistance.* Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:
 - (i) Qualify as assistance under the TANF program definition at 45 C.F.R. 260.31; and
 - (ii) Are not otherwise excluded under 24 C.F.R. 5.609 (c) (1-17).

If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

- (i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - (ii) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph (b)(6)(ii) shall be the amount resulting from one application of the percentage.
- 7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;
 - 8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).
- (c) Annual income does not include the following:
- 1) Income from employment of children (including foster children) under the age of 18 years;
 - 2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
 - 3) 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 (except as provided in paragraph (b)(5) of this section);
 - 4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
 - 5) Income of a Live-In-Aide, as defined in 24 C.F.R. § 5.403;
 - 6) The full amount of student financial assistance paid directly to the student or to the educational institution;
 - 7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
 - 8)
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child

- care, etc.) and which are made solely to allow participation in a specific program;
- (iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a tenant for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination, and serving on the PHA's governing board. No tenant may receive more than one such stipend during the same period of time;
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as tenant 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;
- 9) Temporary, nonrecurring or sporadic income (including gifts);
 - 10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
 - 11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
 - 12) Adoption assistance payments in excess of \$480 per adopted child;
 - 13) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts;
 - 14) 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;
 - 15) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
 - 16) 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 any program to which the exclusions set forth in 24 C.F.R. 5.609(c) apply. A notice will be published in the Federal Register and distributed to public

housing authorities and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

(a) **Annualization of Income**

If it is not feasible to anticipate a level of income over a 12-month period, (e.g., seasonal or cyclic income) or the PHA believes that the past income is the best available indicator of expected future income, the PHA may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

1.4 Applicant or Applicant Family

A person or a family that has applied for housing assistance.

1.5 Child

Means a member of the family other than the Head of Household or spouse who is under 18 years of age.

1.6 Child Care Expenses

Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

1.7 Citizen

Means a citizen or national of the United States.

1.8 Consent Form

Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment, and payments of retirement income); and return information for unearned income from the Internal Revenue Service. The consent form expires after a certain time and may authorize the collection of other information from assistance applicants or participants to determine eligibility or level of benefits.

1.9 Covered Families

As applied to welfare benefit reduction, Covered Families means families who receive welfare assistance or other public assistance benefits (“welfare benefits”) from a State or other public agency (“welfare agency”) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

1.10 Dependent

A member of the family (except foster children and foster adults) other than the Head of Household or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student.

1.11 Disability Assistance Expenses

Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

1.12 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.

As applied to Designated Housing, Disabled Family means a family whose head or spouse or sole member is a person with disabilities. The term “disabled family” may include two or more persons with disabilities living together, and one or more persons with disabilities living with one or more persons who are determined to be essential to the care or well-being of the person or persons with disabilities. A disabled family may include persons with disabilities who are elderly.

1.13 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.

1.14 Displaced Person

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.

1.15 Economic Self-Sufficiency Program

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

1.16 Elderly Family

A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more Live-In-Aides.

1.17 Elderly Person

A person who is at least 62 years of age.

1.18 Eligible Families

Low-income families who are eligible for admission to the public housing program.

1.19 Extremely Low-income

Extremely low-income family means a family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

1.20 Family

Family includes but is not limited to:

- (a) A family with children (the temporary, 90 days or less, absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size; furthermore, proof of guardianship must be provided);
- (b) A family without children;
- (c) An elderly family;
- (d) A near-elderly family;
- (e) A disabled family;
- (f) A displaced family;
- (g) The remaining member of a tenant family who meets all other eligibility criteria;
- (h) A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family; or
- (i) Two or more persons sharing residency, who are over eighteen (18) years of age and whose income and resources are available to meet the family's needs and who are either related by blood, marriage or operation of law, or who evidenced a stable family relationship over a period of six (6) months.

Evidence of "stable family relationship" may include any of the following: birth certificates of the children, joint tax return, prior lease (held jointly), joint bank accounts, insurance policies, prior joint credit history, or equivalent documentation as determined by DHA.

1.21 Family Members

All members of the household other than Live-In-Aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

1.22 Full-Time Student

A person who is attending school or vocational training on a full-time basis.

1.23 Head of Household

Means the adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

1.24 Household Members

Includes family members, Live-In-Aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members is listed on the lease.

1.25 HUD

Department of Housing and Urban Development.

1.26 Imputed Welfare Income

The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

1.27 Income Information

Income information means information relating to an individual's income, including:

- 1) All employment income information known to current or previous employers or other income sources that HUD or DHA determines are necessary for purposes of determining an assistance applicant's or participant's eligibility for, or level of assistance in, a covered program;
- 2) All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law;
- 3) With respect to unemployment compensation;
 - (i) Whether an individual is receiving, has received, or has applied for unemployment compensation;
 - (ii) The amount of unemployment compensation the individual is receiving or is entitled to receive; and
 - (iii) The period with respect to which the individual actually received such compensation;
- 4) Unearned IRS income and self-employment, wages and retirement income as described in the Internal Revenue Code, 26 U.S.C. 6103(l)(7); and
- 5) Wage, social security (Title II), and supplemental security income (Title XVI) data obtained from the Social Security Administration.

1.28 Income Targeting

- 1) Section 8 - Housing Choice Voucher Program
Not less than 75% of the families admitted to the tenant-based Section 8 program during DHA's fiscal year shall be families whose annual income does not exceed the following amounts as determined by HUD:
 - (i) 30 percent of the area median income with adjustments for small and larger families; or

- (ii) A higher or lower percent of the area median income if HUD determines a higher or lower percent is necessary because of unusually high or low family incomes.

- 2) Section 8 Project-Based Assistance (including moderate rehabilitation and Project-Based Certificates)
Not less than 40% of new admissions to a specific project shall have incomes at or below 30% of the area median income. Other admissions to a specific project must be at or below 60% of the area median income or as otherwise stated in any Colorado Housing Finance Authority (CHFA) application, with any HUD-instituted modifications for relatively low-income or high-income areas. Income targeting requirements do not apply to Project Based Assistance made available to prevent or ameliorate the effects of displacement.

1.29 Incremental

The increase between the total amount of welfare and earnings of a family member prior to enrollment in the training program and welfare and earnings of the family member after enrollment in the training program. All other amounts, increases or decreases, are treated in the usual manner in determining annual income.

1.30 DHS

The Department of Homeland Security.

1.31 Live-In-Aide

Live-In-Aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- 1) Is determined to be essential to the care and well-being of the persons;
- 2) Is not obligated for the support of the persons; and
- 3) Would not be living in the unit except to provide the necessary supportive services.

1.32 Local Preferences

System of selection preferences, based upon local housing needs and priorities determined by DHA, which are used in selecting among applicants.

1.33 Low-Income Family

A family whose annual income does not exceed 80 percent of the area median income, as determined by HUD with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 80 percent of the area median income on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

1.34 Medical Expenses

Medical expenses, including medical insurance premiums that are anticipated during the period for which annual income is computed, and that are not covered by insurance.

1.35 Members of the Family

For the purposes of denial and termination of assistance, the definition of members of the family may include any unauthorized family member, and/or guest.

1.36 Mixed Family

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

1.37 Monthly Adjusted Income

One twelfth of Adjusted Income.

1.38 Monthly Income

One twelfth of Annual Income.

1.39 National

Means a person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

1.40 Near-Elderly Family

Near-Elderly Family means a family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more Live-In-Aides.

1.41 Near-elderly Person

A person who is at least 50 years of age but below the age of 62 who may be a person with a disability. Near elderly persons do not qualify to live in Denver Housing Corporation properties.

1.42 Non-citizen

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

1.43 Non-Elderly Disabled Person

A person with a disability who is less than 62 years of age.

1.44 Net Family Assets

- (a) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- (b) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust shall be counted when determining Annual Income under 24 C.F.R. § 5.609.
- (c) In determining net family assets, DHA or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less

than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

1.45 Over-Income Family

A family that is not a low-income family.

1.46 Owner

Owner has the meaning provided in the relevant program regulations.

1.47 Person With Disabilities

(a) Admission to Section 8

Persons with Disabilities, as defined in 24 C.F.R. §5.403, means a person who:

- 1) Has a disability as defined in 42 U.S.C. 423;
- 2) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that: (1) is expected to be of long-continued and indefinite duration; (2) substantially impedes his or her ability to live independently; and (3) is of such a nature that such ability could be improved by more suitable housing conditions, or
- 3) Has a developmental disability as defined in 42 U.S.C. 6001.

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

For purposes of qualifying for low-income housing, a person with disabilities does not include a person whose disability is based solely on any drug or alcohol dependence, and means an “individual with handicaps” as defined in §8.3 for purposes of reasonable accommodation and program accessibility for person with disabilities.

As applied pursuant to Part 945, Persons with Disabilities means:

- (a) Has disability as defined in section 223 of the Social Security Act (42 U.S.C. 423), or
- (b) Is determined to have a physical, mental, or emotional impairment that:
 - 1) is expected to be of long-continued and indefinite duration;
 - 2) substantially impedes his or her ability to live independently; and
 - 3) is of such a nature that such ability could be improved by more suitable housing conditions, or
- (c) Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).

The term “person with disabilities” does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

1.48 Proration of Assistance

The reduction in a family’s housing assistance payment to reflect the proportion of family members in a mixed family, as defined in 24 C.F.R. §5.504(b), who are eligible for assistance.

1.49 Public Housing Agency (PHA)

Any state, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

1.50 Remaining Family Member

A person who is eighteen (18) years of age or older, meets all other eligibility criteria, and is a member of a DHA tenant family, but not a signatory to the lease and who continues to live in the unit after all other family members have left.

1.51 Section 8

Means Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437(f)).

1.52 Single Person

A person who lives alone or intends to live alone, who is not an elderly person, a person with disabilities, a displaced person, or the remaining member of a tenant family.

1.53 Specified Welfare Benefit Reduction

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.

Specified Welfare Benefits Reduction does not include a reduction or termination of welfare benefits by the welfare agency:

- 1) at the expiration of a lifetime or other time limit on the payment of welfare benefits;
- 2) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or
- 3) because a family member has not complied with other welfare agency requirements.

1.54 Supportive Services

Supportive Services means those appropriate services that a PHA will make available, or cause to be made available to a FSS family under a contract of participation, and may include:

- (a) childcare as defined in 24 C.F.R. §984.103(b);
- (b) transportation as defined in 24 C.F.R. §984.103(b);
- (c) education as defined in 24 C.F.R. §984.103(b)
- (d) employment as defined in 24 C.F.R. §984.103(b)
- (e) personal welfare as defined in 24 C.F.R. §984.103(b);
- (f) household skills and management as defined in 24 C.F.R. §984.103(b);
- (g) counseling as defined in 24 C.F.R. §984.103(b); and
- (h) other services as defined in 24 C.F.R. §984.103(b).

1.55 Total Tenant Payment

- (a) Total tenant payment is the highest of the following amounts, rounded to the nearest dollar:
 - 1) 30 percent of the family's monthly-adjusted income;
 - 2) 10 percent of the family's monthly income;
 - 3) If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of those payments which is designated for housing; or
 - 4) The minimum monthly rent established by the PHA.

1.56 Training Program

A learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual's ability to obtain employment. It may have performance standards to measure proficiency.

Training may include, but is not limited to:

- (a) classroom training in a specific occupational skill;
- (b) on-the-job training with wages subsidized by the program; or
- (c) basic education.

1.57 Utility Allowance

If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by DHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

1.58 Utility Reimbursement

The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (This definition is not used in the Section 8 Housing Choice Voucher, Mod Rehab, or Project-Based Assistance Programs, or for a public housing family that is paying a flat rent).

1.59 Very Low-Income Family

A family whose annual income does not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families except that HUD may establish income ceilings higher or lower than 50 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

1.60 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.

1.61 Work Activities

See definition at 407(d) of the Social Security Act (42 U.S.C. 607(d)).

1.62 Working Family

A family whose income is based on actual employment or if the Head of Household and spouse or sole member are age 62 or older or receiving social security disability, supplemental security income disability benefits, or any other payments based on an individual's inability to work.

Any term not defined in this policy shall have the meaning set forth in the applicable HUD regulations.

SECTION 2
GENERAL PROVISIONS

GENERAL PROVISIONS

2.1 Purpose and Objective

The Section 8 Administrative Plan (the Administrative Plan) serves several purposes:

- 1) Establishes the Denver Housing Authority (“DHA”) policies for program implementation and administration.
- 2) Sets forth DHA's interpretation of any Department of Housing and Urban Development (“HUD”) rules which are open to interpretation.
- 3) Defines DHA's policies and procedures in areas where HUD rules are silent.
- 4) Assures consistent program operation.
- 5) Assures non-discrimination against families due to arbitrary decision-making.
- 6) Supports DHA's position when legal challenges occur.
- 7) Provides procedural guidance and direction to staff.
- 8) Is the document from which DHA derives its local legal authority.

The DHA Administrative Plan covers the eligibility and administration of the Section 8 Housing Choice Voucher Program, Section 8 Moderate Rehabilitation Program, and the Section 8 Project-Based Assistance Program. This Plan also covers administration of HUD Special Admission Programs, as well as the administration of the programs from the point of application to cancellation. The Plan governs administration of the programs in accordance with the HUD regulations.

The objective of the Section 8 programs is to provide rental housing assistance to extremely low-income families, very low-income families, and low-income families (where applicable), residing in or wishing to reside in, the Denver community, so they can obtain affordable, safe, decent, sanitary housing.

2.2 Housing Authority Jurisdiction

DHA's jurisdiction is the City and County of Denver. This jurisdiction also includes any other area by which DHA has entered into an inter-governmental agreement with that area.

2.3 Unusual Circumstances

There may be circumstances which arise that do not fall under the provisions stated in this Plan. Those circumstances will be reviewed on a case-by-case basis. Appropriate actions will be taken as warranted. These actions will be documented by the Chief Operating Officer – Section 8/Client Services.

2.4 Conflict

In the event HUD regulations change the implementation of the Section 8 programs governed by this document, the HUD regulatory changes will take precedence over the provisions of this Plan.

2.5 Reasonable Accommodation and 504 Coordinator

DHA has designated a 504 Coordinator responsible for making determinations on requests for accommodation in compliance with the Reasonable Accommodation in Housing Guidelines (“RAHG”). The 504 Coordinator may receive complaints and other reports of violations of governing law from other clients or interested persons outside DHA and will investigate such complaints promptly. Following such investigation, the 504 Coordinator will make a determination on the complaint, and if necessary, take corrective action.

The 504 Coordinator can be contacted at 777 Grant Street, 4th Floor, Denver, Colorado 80203 or P. O. Box 40305, Denver, Colorado 80204, (720) 932-3144, Fax (720) 932-3009, TDD (720) 932-3111.

The Client Orientation Packet, Moving Packet, Re-Examination Packet, and Re-Determination Packet will contain the aforementioned information regarding the 504 Coordinator, as well as Notice of Availability of Reasonable Accommodation.

Also refer to Section 3.2: Admissions and Occupancy Provisions.

2.6 Housing Programs Available

- 1) Housing Choice Voucher Program
- 2) Moderate Rehabilitation Program
- 3) Project Based Assistance Program

2.7 Eligible Types of Housing

Eligible Types of Housing include: Single family dwellings, duplex, triplex, fourplex, row-type housing, multi-unit complexes, apartments, condominiums, town homes, mobile homes, and manufactured homes. Hotels, motels, nursing homes, college or school dormitories, other types disallowed by HUD regulations, or a unit occupied by its owner or by a person with any interest in the dwelling unit are not eligible types of housing.

2.8 Special Housing Types

At DHA’s discretion, DHA may allow a family to use any of the following special housing types in accordance with the regulations of the program: single room occupancy housing, congregate housing, group home, shared housing, or cooperative housing and assisted living. DHA will follow HUD regulations regarding clients residing in these special housing types.

2.9 DHA-Owned Units

If a family leases a unit owned by DHA, DHA will utilize an outside entity to conduct HQS inspections, rent determinations, and rent reasonableness. DHA will follow HUD regulations regarding DHA-owned housing.

2.10 Manufactured Housing

A family may reside in a manufactured home with assistance under the program. DHA will follow HUD regulations regarding clients residing in manufactured homes.

2.11 Homeownership for the Disabled

DHA administers a Section 8 Homeownership Program for disabled clients only. Eligible participants include fourteen (14) public housing ROSS participants who have completed homeownership training and five (5) Section 8 clients. See Section 10 (Page 110: Housing Choice Voucher Home Ownership Program).

2.12 Maintenance of Program Records

Past participant files will be maintained for the following time frames:

- 1) Past participants leaving with no balance owed DHA: 3 years.
- 2) Past participants leaving with a balance owed DHA: seven years since last activity on account.

2.13 Program Eligibility

For program eligibility requirements see, Section 3.3: Admissions and Occupancy Provisions of the Housing Authority of the City and County of Denver.

2.14 Program Admission

DHA may admit an applicant to the program either:

- 1) As a HUD Special Admission, or
- 2) As a lottery admission, or
- 3) As a client porting in from another housing authority.

2.15 Special Admission

A Special Admission is admission of an applicant that is not in the DHA Section 8 lottery pool, or without considering the applicant's position in the lottery pool. Special admission is used only when HUD awards program funding targeted for families living in specified units.

- 1) DHA must use the assistance for the families living in targeted units.
- 2) DHA may admit a family that is not in the DHA lottery pool, or without considering the family's lottery pool position. DHA will maintain records indicating that the family was admitted with HUD-targeted assistance.

2.16 New Admissions

Seventy-five (75) percent of new admissions to the Housing Choice Voucher Program will be at or below thirty (30) percent of the Area Median Income.

2.17 Section 8 Lottery Pool

The Section 8 Program utilizes a lottery pool for admissions to the program. Please refer to Section 3.17: Admissions and Occupancy Provisions for details.

- (a) The Section 8 lottery pool will contain the following information for each applicant listed:
 - 1) Applicant name.
 - 2) Social Security number.
 - 3) Date of birth.
 - 4) Home/Mailing address.
 - 5) Date and time of application.
 - 6) Qualification for any local preference.
- (b) The order of admission from the lottery pool will be based on a random drawing or other random choice technique (lottery).
- (c) The lottery pool will be opened annually, depending on funding availability.

When DHA opens the Section 8 lottery process, DHA will issue public notice that families may apply for the Housing Choice Voucher Program.

DHA will issue the public notice by publication in local newspapers of general circulation and also minority media. The notice will comply with the Equal Opportunity plan and with HUD Fair Housing requirements.

- (d) As applicants are needed for the Section 8 program, random drawings will occur from the lottery pool. DHA will determine the number of applicants drawn based on need. Drawings will be advertised via public notice. Drawn numbers will be posted at all lottery pool sites.
- (e) At the end of each year the Section 8 lottery pool is purged.

2.18 Special Admission Program

1) Single Room Occupancy Program

The Colburn Hotel Single Room Occupancy (“SRO”) is a HUD approved program that provides housing to homeless individuals. The Colburn Hotel is an 88-unit single room occupancy facility operated through the Moderate Rehabilitation Program.

First priority for units will be given to those individuals who are currently homeless. Due to the fact the Section 8 application process is a lottery system, applicants will be referred by the Colburn Hotel management. They will maintain a waiting list of applicants who must meet eligibility criteria for Section 8 housing in accordance with Federal regulations, 24 C.F.R. 882.514 and 882.808.

The Colburn Hotel management will conduct initial determination of Section 8 housing eligibility. They will then forward the application to the DHA Section 8

Eligibility Department for final determination and approval. Applicants will not be housed until this final approval is received.

If the individual is not eligible for any reason, the Colburn Hotel management will be notified of the same in writing.

Once the individual is determined to be eligible for DHA housing, the application will be sent to the Section 8 office. The individual will then become a participant in the program in accordance with program regulations.

Section 8 Clients participating in this special admission program must comply with the same family obligations as all Section 8 Clients.

Program Outreach:

The Colburn Hotel will conduct outreach for client referrals through contact with several appropriate organizations. Those will include emergency and transitional shelters, mental health clinics, and alcohol/drug program clinics.

Supportive Services:

Supportive services available to the client will include case management from the various agencies that referred the client including, but not limited to, alcohol and drug abuse services, mental health services, and AIDS-related services. Information regarding employment/training and education will also be made available. Monthly tenant meetings will allow for tenant input and participation in how management operates the hotel and for sharing of information. The Colburn Hotel management will furnish DHA with minutes from the monthly meetings and annual progress reports so that DHA can monitor these services.

2) DHA Displacement and Relocation Program

The following policy applies in instances where DHA requires current DHA or Denver Housing Corporation (“DHC”) residents to relocate due to a major reconstruction, demolition, or for any other reason.

All affected residents must be pre-approved for the Section 8 program, by the Occupancy Department, before a voucher will be issued. Applicants will be issued a voucher through regular procedures, as specified in the DHA Admissions and Occupancy Terms and Policies and the Administrative Plan. All HUD regulations and DHA Section 8 procedures will apply to affected residents who become Section 8 clients.

When DHA receives a special purpose allocation for Public Housing Demolition or Disposition, DHA will offer the families the form of assistance DHA was allocated. The families must submit an application to DHA for the Section 8 program, and must be eligible to participate in the Section 8 program. The family cannot choose the form of assistance. If a family refuses the housing voucher, the family will be

canceled and removed from the lottery pool. Where appropriate and available, Section 8 vouchers will be utilized for the DHA Designated Housing Plan.

3) ROSS Homeownership Supportive Services Program

The ROSS Homeownership Supportive Services Grant Program (HSS), funded by HUD, provides a requirement that those eligible, disabled PHA participants of the HSS Program who complete homeownership training and meet other program requirements, receive Section 8 Homeownership Vouchers. A total of fourteen (14) disabled PHA residents a year, for three years, will be able to receive a voucher for homeownership through this program.

DHA will determine eligibility for this program and will determine readiness. Applicants will need to meet all eligibility requirements for the Section 8 program, complete all homeownership training and meet all DHA and HUD requirements for the homeownership program.

Once the individual is determined to be eligible, the participant will receive the next available homeownership voucher.

2.19 LOCAL PREFERENCES

A special admission is not counted against the local preference limit. The local preference limit does not apply when an applicant is received in the DHA program under portability procedures.

The following Local Preferences are administered by DHA and are listed in order of preference:

1) Colorado Health Network Program

The Colorado Health Network (“CHN”), in conjunction with private developers, provides case management and special needs housing to persons disabled by the Human Immunodeficiency Virus (HIV) and/or Acquired Immunodeficiency Syndrome (“AIDS”). In order to meet the special needs of this group in the Denver community, DHA will provide a maximum of thirty (30) vouchers, at any given time, to participants under case management by CHN for this specific special need. The number of vouchers may vary depending upon ACC re-configurations due to changes in family composition requiring different bedroom sizes. The DHA local preference will be applied to those individuals who qualify pursuant to CHN’s definition of disabled specifically with HIV and/or AIDS, and who are participants in their case management. Applicants will be issued a voucher through regular procedures, as specified in the DHA Admissions and Occupancy Terms and Policies and the Administrative Plan.

Section 8 Clients participating in this special needs program must comply with the same family obligations as all Section 8 clients.

2) Atlantis Program

The Atlantis Corporation provides special needs housing to disabled persons. In order to meet the special needs of the disabled in the Denver community, DHA will provide a maximum of forty-five (45) vouchers to Atlantis for the disabled housing program at any given time. The number of vouchers may vary depending upon ACC re-configurations due to changes in family composition requiring different bedroom

sizes. Applicants will be issued a voucher through regular procedures, as specified in the DHA Admissions and Occupancy Terms and Policies and the Administrative Plan.

Section 8 Clients participating in this special needs program must comply with the same family obligations as all Section 8 clients.

3) Chronically Mentally Ill Program Administered by the City and County of Denver Planning Department - Housing Division

The City and County of Denver Planning Department Housing Division (PDHD), in conjunction with Mental Health Corporation of Denver (MHCD) provides case management and special needs housing to persons disabled by chronic mental illness. In order to meet the special needs of this group in the Denver community, and to assist the City and County of Denver in resolution of the *Goebel* lawsuit, DHA will provide a maximum of 100 vouchers to participants in this special needs group and who participate in case management provided by agencies associated with the PDHD. The number of vouchers may vary depending upon ACC re-configurations due to changes in family composition requiring different bedroom sizes. Applicants will be issued a voucher through regular procedures, as specified in the DHA Admissions and Occupancy Terms and Policies and the Administrative Plan.

Section 8 Clients participating in this special needs program must comply with the same family obligations as all Section 8 clients.

4) Colorado Coalition for the Homeless Families Program

The Colorado Coalition for the Homeless (“CCH”) provides housing with health care and supportive services to multi-problem homeless families. DHA will provide a maximum of one hundred forty-eight (148) vouchers to CCH for this homeless families housing program at any given time. The number of vouchers may vary depending upon ACC re-configurations due to changes in family composition requiring different bedroom sizes. Applicants will be issued a voucher through regular procedures, as specified in the DHA Admissions and Occupancy Terms and Policies and the Administrative Plan.

Section 8 Clients participating in this special needs program must comply with the same family obligations as all Section 8 clients.

5) Catholic Charities of Denver Service Enriched TBRA Program

The Catholic Charities of Denver-Services Enriched TBRA Program provides case management and supportive services that will allow participating households to stabilize in permanent housing which he/she can financially sustain on his/her own. A maximum of eight (8) vouchers to Catholic Charities of Denver will be provided for this program. The number of vouchers may vary depending on the ACC reconfigurations due to changes in family composition requiring different bedroom sizes. Applicants will be issued a voucher through regular procedures, as specified in the DHA Admission and Occupancy Terms and Policies and the Administrative Plan.

Section 8 clients participating in this program must comply with the same family obligations as all Section 8 clients.

6) Department of Human Services

The Denver Department of Human Services provides program coordination for the Ten Year Plan to End Homelessness that includes housing, health care and supportive services to homeless families. DHA will provide 50 vouchers to the Denver Department of Human Services for homeless families for 2008.

Applicants will be issued a voucher through regular procedures as specified in the Section 8 Admissions and Occupancy Policies.

Section 8 participants in this special needs program must comply with the same Family Obligations as all Section 8 Clients.

2.20 Admission Date

Date of admission to the Housing Choice Voucher Program, and Moderate Rehabilitation Programs is the effective date of the first Housing Assistance Payments (“HAP”) Contract and lease. The family becomes a participant on the effective date of the HAP Contract executed by DHA for the family (first day of the initial lease).

2.21 Participant

A participant in the Housing Choice Voucher Program, Moderate Rehabilitation and SRO programs is a family that has been admitted to DHA’s program via an executed HAP Contract and lease. The family becomes a participant on the effective date of the first HAP Contract executed by DHA for the family (first day of the initial lease term).

2.22 Rent Reasonableness

Rent comparability to similar unassisted units within the same market area will be implemented for all units under the Section 8 Housing Choice Voucher Program, at the time of initial lease up and upon subsequent requests for a rent increase. DHA will consider the location, quality, size, unit type, age, amenities, housing services, maintenance and utilities. DHA will disapprove any Request for Tenancy Approval (“RFTA”) for which it determines the rents are not supported by market comparables (reviewed quarterly) giving due consideration to location and the housing amenities offered. If an owner contests DHA's Rent Reasonableness determination, the owner may submit written documentation to support his/her contention. Written documentation includes: appraisals, rent roll of owner's comparable unassisted units, rent roll of similar unassisted units in similar area. A final determination will then be made by the Section 8 Inspections Supervisor.

2.23 Utility Allowance Schedule

DHA will maintain a schedule of utilities in accordance with HUD regulations to be used in the determination of HAP to owners. The utility allowance schedule will be evaluated annually, using data compiled by Xcel Energy and the Denver Water Department.

Utility Allowance Payment (“UAP”) checks will be mailed to those clients whose utility allowance is greater than the Tenant Rent. The UAP checks will be issued in the name of both the client and the utility company.

DHA will use the appropriate utility allowance for the size of the dwelling unit actually leased by the family. On request from a family that includes a person with disabilities, DHA may approve a higher utility allowance than the amount on the Utility Allowance Schedule, if a higher utility allowance is needed as a reasonable accommodation.

2.24 Payment Standards Review

The housing voucher payment standard schedule will be reviewed annually. The schedule amounts will be set between 90 to 99 percent of the HUD Existing Program Fair Market Rents (“FMR”).

The payment standard for the family will be the lower of:

- 1) The payment standard for the family unit size, or
- 2) The payment standard for the unit size rented by the family.

2.25 Subsidy Standards

Subsidy standards are published in the DHA Admissions and Occupancy Terms and Policies. Exceptions to these standards will be granted on a case-by-case basis solely at the discretion of DHA. Requests for accommodation must comply with the Reasonable Accommodation in Housing Guidelines (“RAHG”).

2.26 Administrative Fee Reserve

DHA must obtain Board of Commissioners approval for any use of the Administrative Fee Reserve.

2.27 Portability

DHA has the option of absorbing or administering incoming vouchers. Determination to absorb or administer will be made on a case-by-case basis, based on the number of available vouchers, current funding levels and other relevant data.

If the participant is porting to an area that is in more than one Public Housing Authority (“PHA”) jurisdiction, DHA may choose which PHA the participant must go to.

Families cannot exercise portability if money is owed to DHA. Families who request a portable voucher must pay all monies owed to DHA before the portable voucher will be processed.

Participants who hold vouchers through any of the aforementioned Local Preferences will be allowed portability in accordance with the voucher program regulations.

Once a portable participant has been absorbed by DHA, they are eligible to transfer out of the jurisdiction once they have remained in their unit for the initial term of the lease. Exceptions will be considered for reasonable accommodations based on disability. Requests for reasonable accommodations must comply with the Reasonable Accommodation in Housing Guidelines (“RAHG”).

DHA requires applicants who were non-residents of Denver at the time of their admission to the Section 8 program to initially lease a unit in DHA's jurisdiction to be eligible for portability.

1) DHA AS INITIAL PHA

The following information will be provided to the receiving PHA:

- HUD Form 50058
- HUD Form 52665 (9/95)
- Housing Choice Voucher
- Other information regarding the participant that DHA believes is necessary for the receiving PHA to know including but not limited to: pending legal actions, pending evictions.
- DHA is required to submit 50058 data to the HUD MTCS system. Failure to submit required 50058 data will result in payments from DHA being withheld until corrected.

Participants are responsible for providing the receiving PHA with copies of birth certificates and social security cards.

2) DHA AS RECEIVING PHA

The following documents will be required from the initial PHA:

- HUD 50058
- HUD 52655 (9/95)
- Housing Choice Voucher
- Other information regarding the participant that DHA believes is necessary for it to know including but not limited to: pending legal actions, pending evictions.

DHA will notify the initial PHA if the family fails to submit a RFTA before the voucher expires. DHA will perform a re-certification on all participants whether the participant is administered or absorbed.

The Agency to which an amount is owed will be responsible for collecting amounts owed for claims. The initial PHA will monitor the effect of those claims on unit transfers.

DHA will bill the initial PHA every 30 days. If the initial PHA does not remit payment to DHA within 90 days, DHA reserves the right to pursue any and all collection activities. These activities may include withholding payment due the initial PHA for amounts due from DHA portability participants.

DHA will enter 50058 information in the MTCS system as required by HUD regulations.

- (a) Denial or termination of assistance: If the initial PHA has grounds for denying or terminating assistance for a portable family that has not been absorbed by the receiving PHA, the PHA may act on those grounds at any time.

2.28 Termination of Contracts

Termination of HAP Contracts may be required if funding is no longer available under the ACC.

SECTION 3
ADMISSIONS AND OCCUPANCY PROVISIONS

ADMISSIONS AND OCCUPANCY PROVISIONS

3.1 Fair Housing

It is the policy of DHA to fully comply with all Federal, State and local nondiscrimination laws including, but not limited to, Section 504 of the Rehabilitation Act and HUD's regulations governing Fair Housing and Equal Opportunity.

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

3.2 Reasonable Accommodation

- a) It is DHA's policy to provide a "reasonable accommodation" in housing for applicants, residents, and Participants with disabilities where a reasonable accommodation is necessary to provide them with an equal opportunity to participate in, or benefit from, DHA housing programs. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability.

Individuals may request a reasonable accommodation by following the procedures outlined in the Housing Authority of the City and County of Denver Reasonable Accommodation In Housing Guidelines. These guidelines clarify how people can request accommodations, and the guidelines DHA will follow in determining whether it is reasonable to provide a requested accommodation. A Request for Reasonable Accommodation form should be requested and completed.

DHA has the right to obtain verification that the person has a disability. If more than one accommodation is equally effective in providing access to DHA's programs and services, DHA retains the right to select the most efficient or economic choice.

- b) **Effective Communications:** Upon request, DHA will provide alternative forms of communication for individuals who are visually, hearing, mentally or manually impaired to ensure the individual is able to effectively communicate with DHA, in compliance with DHA's Guidelines for the Provision of Alternative Forms of Communication for Individuals with Disabilities. DHA will furnish appropriate auxiliary aids (e.g., qualified sign language and oral interpreters, readers, use of taped material) where necessary to facilitate communication with an individual with a disability.

3.3 Eligibility for Admission to Section 8 Tenant-Based and Project Based Assistance Program

In order for an applicant to be eligible for admission to the Section 8 program, the applicant must be eighteen (18) years old and meet the following conditions:

- 1) Family: The applicant shall meet the definition of family as set forth in Section 1 of this Policy.
- 2) Income Eligible: The applicant must be income eligible in accordance with the annual income limits for admission to the Section 8 program as set forth in HUD's most recent, published income limits for admission.
- 3) U.S. Citizen or National: The applicant must be a U.S. citizen or U.S. national as defined in 24 C.F.R. Part 5. U.S. citizens and U.S. nationals must provide a signed declaration of U.S. citizenship or U.S. nationality. Non-citizens who are 62 years of age or older or who will be receiving assistance under a Section 214 covered program on September 30, 1996, or applying for assistance after that date, must provide a signed declaration of eligible immigration status and proof of age document. All other non-citizens must provide a signed declaration of eligible immigration status, one of the documents referred to in 24 C.F.R. §5.510, and a signed verification form. See Section 2.6 for more details.
- 4) Section 8 Client Selection Criteria: It is DHA's policy that all applicants, and applicant's family, for the Section 8 programs shall be screened for program eligibility in accordance with HUD regulations. Relevant information which DHA will consider includes, but is not limited to, the following:
 - (a) History of drug-related criminal activity or violent criminal activity or other criminal activity including, but not limited to any illegal criminal activity that has as one of its elements: the use, attempted use, or threatened use of physical force against the person or property of another. DHA will deny an applicant who has been convicted of manufacturing or otherwise producing methamphetamine in violation of any Federal or state law. DHA may deny assistance if the preponderance of evidence indicates that a family member has engaged in such activity, regardless of whether applicant or applicant's family member has been arrested or convicted.
 - (b) Maintenance of housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety or welfare of other tenants.
 - (c) A criminal background check on all adult household members, including Live-In-Aides.
 - (d) Applicant or any household member has been convicted of a crime involving unlawful sexual behavior, or any person classified as a sexually violent predator, who is required to register with the local law enforcement agency in which he/she resides in accordance with Section 18-3-412.5, C.R.S.

- (e) A home visit that considers cleanliness and care of rooms, appliances and appurtenances. The inspection may also consider any evidence of criminal activity.
- (f) History of applicant or applicant family's illegal use, or possession for personal use, of a controlled substance within one (1) year from the date DHA provides notice to the applicant of DHA's determination to deny assistance.

DHA may not deny or terminate assistance for such use or possession by applicant's family, if the family member can demonstrate that he or she:

- (i) has an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such an impairment; and
 - (ii) is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. DHA may require a family member who has engaged in the illegal use of drugs to submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit.
- (g) Applicant or applicant family's pattern of illegal use of a controlled substance or pattern of abuse of alcohol gives DHA reasonable cause to believe that the pattern of abuse may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants.

DHA may waive the policies prohibiting admission in these circumstances if the person demonstrates to DHA's satisfaction that the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol and:

- (i) has successfully completed a supervised drug or alcohol rehabilitation program;
 - (ii) has otherwise been rehabilitated successfully; or
 - (iii) is participating in a supervised drug or alcohol rehabilitation program.
- (h) Applicant or applicant's family who have been evicted from public housing, Indian housing, Section 23 or any Section 8 programs because of drug related criminal activity are ineligible for participation in the Section 8 program for a three year period, beginning on the date of such eviction. DHA may waive this requirement if:
- (i) the person demonstrates successful completion of a rehabilitation program approved by DHA, or

- (ii) the circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.
 - (iii) Being a victim of domestic violence, dating violence or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies.
- (i) Applicant or applicant's family has a history of other criminal activity which may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons in the vicinity.
 - (j) Applicant or applicant's family has a history of other criminal activity which threatens the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of DHA.

Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. DHA may require the applicant to submit a Request for Accommodation, in compliance with DHA's Reasonable Accommodations in Housing Guidelines, in order to determine if a mitigating circumstance qualifies as a reasonable accommodation. DHA has discretion to consider all of the circumstances in each case including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act.

- 5) College Student Admissions: In accordance with 24 C.F.R. Parts 5 and 982.
 - (a) The student rule is not applicable to students living with parents who, as a household, are applying for assistance or are already receiving assistance.
 - (b) The DHA must determine the eligibility for assistance of applicants and must re-determine the eligibility for assistance for some participant students.
 - (c) If the student is under 24 and not a veteran, not married, or has no dependents, both the student's income and the parent's income must be used for eligibility determination unless the student has been determined to be an independent student by the DHA.
 - (d) Financial assistance over tuition is counted in annual income for eligibility purposes for all students except those older than 23 years of age with dependents.
 - (e) The only group of participants who would be terminated if ineligible individually or jointly are students under 24 and not a veteran, married or with dependents. This group includes independent students. Therefore, if the rule only applies to eligibility and not rent, there will be no effect on all other student participants.

3.4 Verification of Citizenship or Eligible Non-Citizen Status/ Section 8

- (a) The citizenship or eligible non-citizen status of each family member regardless of age must be determined. Prior to being admitted, or at the first re-examination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status. DHA shall notify applicants and tenants that they will be required to submit evidence of citizenship or eligible immigration status. This requirement applies to all families regardless of any documentation of the person's identity, which may have been previously obtained. An extension of time, not to exceed thirty (30) days, may be granted to allow the applicant an opportunity to obtain the evidence required. The determination of the length of the extension needed shall be based on the circumstances of each individual case. The decision to grant or deny an extension shall be a written notice to the applicant, which specifies the extension period. If the extension is denied, the notice shall explain the reasons for the denial.
- (b) Applicants with no eligible family members do not qualify for assistance.
- (c) Applicants whose family members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status (Mixed Family) qualify for Prorated Assistance.
- (d) Non-citizen student applicant or tenant, living alone or accompanied by immigrant spouse and/or children do not qualify for assistance.
- (e) Non-citizen student applicant or tenant whose family members include a citizen spouse and citizen children are eligible for Prorated Assistance.
- (f) Tenants in occupancy on or before June 19, 1995, are eligible for continued assistance if head of household or spouse are eligible and family includes no non-eligible members other than parents or children of head of household or spouse. Tenants who do not qualify for continued assistance have the opportunity to choose between a temporary deferral of assistance or Prorated Assistance.
- (g) Tenants in occupancy on or before June 19, 1995, who do not qualify for continued assistance and whose family members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status (Mixed Family) have the opportunity to choose between temporary deferral of assistance or Prorated Assistance.
- (h) Tenants who qualify for a temporary deferral of assistance must show evidence of seeking a standard appropriate size unit within 125% of the rent it is presently paying before the deferral will be granted. The deferral period shall be for an initial period not to exceed six (6) months. The initial period may be renewed for six months, but the aggregate deferral period for deferrals provided after November 29, 1996, shall not exceed a period of eighteen (18) months. The aggregate deferral period for deferrals granted prior to November 29, 1996, shall not exceed three (3) years.

- (i) Mixed Family in occupancy after June 19, 1995, qualifies for only Prorated Assistance.
- (j) Prorated Assistance shall be recalculated whenever there has been a change in family composition or income.
- (k) DHA will calculate the proration of assistance using the methodology for determining maximum rents and proration as provided by HUD.
- (l) Tenants in occupancy after June 19, 1995, with no eligible family members do not qualify for assistance.
- (m) Upon determination of ineligible status the maximum rent based on the 95th percentile will be charged effective the first of the month following notification to tenant of ineligible status.

3.5 Social Security Number Disclosure/Section 8 Programs

At the time of initial application (if an applicant), or at the next regularly scheduled re-examination (if a Section 8 participant), each applicant, or Section 8 participant must submit the complete and accurate social security number (“SSN”) assigned to the applicant, or Section 8 participant and each member of their family who is at least six (6) years of age. Documentation verifying each SSN must also be provided. If an applicant, or their family member who is at least six years of age, has a SSN that cannot be documented then he/she/they must sign a certification in the form and manner that HUD and DHA prescribe in applicable administrative instructions. If an applicant, or their family member who is at least six years of age, has never been assigned a SSN, then he/she/they must sign a certificate in the form and manner that HUD and DHA prescribe in applicable administrative instructions. Applicants are encouraged to apply for a SSN for children under 6 years old.

- 1) Each Section 8 participant whose initial determination of eligibility under the program involved was begun before November 6, 1989, must submit the following information to DHA at the next regularly scheduled income re-examination for the program involved:
 - (a) The complete and accurate SSN assigned to the Section 8 participant and to each member of their household who is at least six (6) years of age. The documentation necessary to verify the SSN is a valid card issued by the Social Security Administration or such other evidence prescribed by HUD or DHA.
 - (b) If the Section 8 participant or any member of their household who is at least six (6) years of age has not been assigned an SSN, a certification executed by the individual involved which is in the form and manner that HUD and DHA have prescribed must be provided.
- 2) Once a Section 8 participant has disclosed and verified every SSN, or submitted any certification that a SSN has not been assigned, the following rules apply:
 - (a) If the Section 8 participant’s household adds a new member who is at least six (6) years of age, the Section 8 participant must submit to DHA, at the next interim or regularly scheduled income re-examination that includes the new members:

- (i) The complete and accurate SSNs assigned to each new member. The documentation necessary to verify the SSN, which is a valid card issued by the Social Security Administration, or such other evidence prescribed by HUD or DHA must also be submitted.
 - (ii) If the new member has not been assigned a SSN, a certification executed by the individual involved which is in the form and manner that HUD and DHA have prescribed must be provided.
 - (b) If the Section 8 participant or any member of their household who is at least six (6) years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the Section 8 participant must submit the complete and accurate SSN to DHA at the next regularly scheduled income re-examination. The documentation necessary to verify the SSN, which is a valid card issued by the Social Security Administration, or such other evidence prescribed by HUD or DHA, must also be submitted.
 - (c) Additional SSN disclosure and verification requirements may be specified in administrative instructions by DHA.
 - (d) Applicants, Section 8 participants who do not have a SSN shall provide DHA with a SSN within 60 days after DHA notifies him/her/them, in writing, that a SSN must be provided.
- 3) If an individual who is required to disclose his/her SSN cannot meet the documentation requirements, he/she/they must submit to DHA the individual's SSN and a certification executed by the individual that the SSN submitted has been assigned to the individual, but that acceptable documentation to verify the SSN cannot be provided.
 - 4) Except for the following, DHA must accept the certification and continue to process the applicant's, or Section 8 participant's documents to determine his/her/their eligibility to participate in the program involved:
 - (a) Only for reasons as HUD and DHA prescribe in applicable administrative instructions.
 - 5) If DHA determines that an applicant is otherwise eligible to participate in its program, the applicant may not become a Section 8 participant unless he/she/they submit(s) the required documentation within sixty (60) calendar days from the date on which the certification is executed. DHA may, in its discretion, extend this period for up to an additional sixty (60) days if the individual is at least 62 years of age and is unable to submit the required documentation within the initial sixty (60) day period.
 - 6) If DHA determines that a Section 8 participant is otherwise eligible to participate in its program, participation will continue, provided that the

Section 8 participant submits the required documentation within sixty (60) calendar days from the date on which the certification is executed. DHA may extend this period for up to an additional sixty (60) days, if the individual is at least 62 years of age and is unable to submit the required documentation within the initial sixty (60) day period.

- 7) DHA shall deny eligibility of an applicant in accordance with the provisions governing the program involved, if the applicant does not meet the applicable SSN disclosure, documentation, verification and certification requirements. DHA shall terminate the assistance or tenancy, or both, of the Section 8 participant, in accordance with the provisions governing the program involved, if the Section 8 participant does not meet the applicable SSN disclosure, documentation, verification, and certification requirements.

3.6 Verification of Statements and Income/Section 8 Programs

All income and asset information for admission and continued occupancy will be verified by DHA, prior to determining eligibility for admission. Verification of family composition will be satisfied by submitting birth certificates from the Bureau of Vital Statistics on all children in the family. Legal child custody papers or other sufficient documentation must be submitted once it has been determined that the mother and father do not live together. For the dependent children listed in the family composition, who are not the children of the head of household or spouse, documentation of legal custody or the written designation of the parent or other person having legal custody of the children must be submitted.

Verification of disability, for application and qualification for “disabled” housing purposes only, will be satisfied by presenting evidence of SSI and Social Security benefits or a doctor’s statement that the individual is disabled. Note: DHA does not consider the applicant, or Section 8 client “disabled” for purposes of reasonable accommodation except as provided for under the Reasonable Accommodations in Housing Guidelines.

Verification of citizenship will be satisfied by submitting birth certificates or naturalization documents.

When an applicant, or Section 8 participant reports annual income that appears to be less than adequate to support the family composition, or if the family appears to be eligible for income that the family reports they do not receive (e.g. AFDC, welfare, unemployment compensation, child support, etc.) the absence of such income will be verified.

Independent verification of income information may be obtained by the DHA from a SWICA or a Federal agency. DHA shall promptly notify the assistance applicant or participant, in writing, of any adverse findings made on the basis of the information. The assistance applicant or participant may contest the findings in the same manner as applicable to other information and findings relating to eligibility.

Section 8 Tenant-Based Assistance Only. Applicant information verifying that applicant and members of the household is/are eligible for the Section 8 programs can be no more than ninety (90) days old in order for DHA to issue a voucher.

Section 8 Only. Refer to Section 4: Participant Provisions for details regarding subsequent re-examinations.

Applicants', or Section 8 participants' files will contain documentation of all verifications including, but not limited to, the following:

- 1) DHA must obtain and document in the tenant file third party verification of the following specific items:
 - (a) Reported family Annual Income;
 - (b) The cash value of assets and income derived from assets;
 - (c) Expenses related to deduction from Annual Income; and
 - (d) Any other factors that affect the calculation of Adjusted Income.
- 2) All income, assets, and each applicable deduction or exemption will be verified prior to admission and at each subsequent re-examination or re-determination.

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

- (a) Enterprise Income Verification (EIV)
The EIV system provided by the Office of Public and Indian Housing will assist PHAs with information or verifying income and unemployment compensation information from various sources including current and former employers, State agencies and the SSA. DHA can use additional EIV resources as they become available. This will be done before, during and/or after examination and/or re-examinations of household income as appropriate.
 - (b) Third-party written verification
 - (c) Third-party oral verification
 - (d) Review of documents
 - (e) Certification/self-declaration
- 3) Section 8 Only. After verification, the applicant certifications shall be signed by the Section 8 applicant and a duly appointed DHA representative, as appropriate.
 - 4) Additional information required by DHA prior to determining eligibility including, but not limited to, the following:
 - (a) Family composition such as vital statistics birth certificates of all minors and custody papers, if applicable;
 - (b) Information that enables DHA to verify the amount of household income;
 - (c) Social Security cards or proof of SSN for each member of the family, six years of age or older;
 - (d) Military records, if applicable;
 - (e) Photo I.D. of Head of Household/spouse;

- (f) If not a citizen of the United States, must provide documentation proving you have legal immigration status in the United States.

3.7 Applicants May Be Denied Section 8 Housing Assistance Based on the Following:

- (a) Applicant does not meet any one or more of the eligibility criteria set forth in section 3.3;
- (b) Reference checks demonstrate that applicant's and applicant's family conduct creates a threat to health, safety, or welfare of neighbors;
- (c) Applicant currently owes rent or other amounts to DHA or another PHA in connection with Section 8 or public assistance under the 1937 Act;
- (d) Applicant or applicant's family has not reimbursed DHA for amounts paid to an Owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- (e) Applicant or any member of the applicant's family commits fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program including the intentional misrepresentation of information related to their housing application or benefits derived therefrom;
- (f) Applicant or applicant's family violates any family obligations under the Section 8 programs including, but not limited to: failure to supply information and records required in administration of the programs, including those needed to determine income eligibility and family composition; not allowing DHA to inspect the unit at reasonable times and after reasonable notice; not using the premises solely as the family's principal place of residence;
- (g) Applicant or a member of the applicant's family has a history of drug-related criminal activity or violent criminal activity or other criminal. DHA may deny assistance if the preponderance of the evidence indicates that a family member has engaged in such activity, regardless of whether applicant or applicant's family member has been arrested and convicted;
- (h) DHA has previously terminated assistance under the certificate, the Housing Choice Voucher Program for applicant or any member of applicant's family;
- (i) Applicant or applicant's family has a record of disturbance of neighbors at present or prior residences that may adversely affect the health, safety, or welfare of other tenants or neighbors;

- (j) Applicant or applicant's family has breached an agreement with DHA to pay amounts owed to DHA, or amounts paid to an Owner by DHA;
- (k) Applicant or applicant's family was evicted from federally assisted housing in the last five years;
- (l) Applicant or applicant family's pattern of illegal use of a controlled substance or patterns of abuse of alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants;
- (m) Applicant or applicant's family members have a record of illegal use, or possession for personal use, of a controlled substance within one (1) year from the date DHA denies assistance;
- (n) Applicant or applicant's family has a history of other criminal activity which may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons in the vicinity.
- (o) Applicant or applicant's family has a history of other criminal activity which threatens the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of DHA.
- (p) DHA may deny assistance for drug-related or other criminal activity engaged in on or near the premises by any applicant, applicant's member of the household, or guest, and any such activity engaged in on the premises by any other person under the applicant's, or participant's control.
- (q) Applicant or any member of applicant's family does not sign and submit the consent forms for obtaining information in accordance with Title 24 C.F.R. Part 5, subparts B and F;
- (r) Applicant or applicant's family participation in FSS program fails to comply, without good cause, with the family's FSS contract of participation;
- (s) Applicant or members of the household do not supply information or documentation required by the application process;
- (t) Applicant or member of household have failed to respond to a written request for information or a request to indicate their continued interest in the program;
- (u) Applicant or members of the household have engaged in or threatened abusive or violent behavior towards any DHA staff or residents;

- (v) Applicant or applicant's family members do not meet the applicable SSN disclosure, documentation, verification and certification requirements;
- (w) HUD regulations require that assistance be denied;
- (x) **Denied for Life:** Applicant or any member of applicant's household is subject to a lifetime registration requirement under a state sex offender registration program; and
- (y) **Denied for Life:** If any applicant or applicant's family member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property.

NOTE: Although DHA determines eligibility for admission to the Section 8 programs, the applicant must also meet tenant selection criteria as defined by the private landlord.

DHA can deny admission to any applicant or terminate assistance to any Section 8 participant based upon the criteria set forth in subsection (a) through (u) above.

3.8 Notification of Cancellations and Denials for Ineligible Applicants/Section 8 Programs

1) Cancellations

Applicants for the Section 8 programs may be canceled for:

- a) failure to provide necessary requested information in the required timeframe. Exceptions: flexibility may be granted in those cases where an employer refuses to complete employment verification.
- b) failure to resolve any dispute concerning alleged debts owed to DHA within a required timeframe.

2) Denials

For admission to the Section 8 programs, the applicant must meet tenant selection criteria set forth in sections 3.3 as defined by DHA.

Applicants for Section 8 assistance shall be notified of denial or cancellation, in writing, and informed of his/her right to an informal review. See Section 3.9: Informal Review Process/Section 8 Tenant-Based Assistance.

Applicants cannot reapply for at least one year from the date of the denial.

3.9 Informal Review Process/Section 8 Tenant-Based Assistance

Refer to Section 7: Section 8 Informal Review and Hearings Provisions for details regarding the informal review procedures utilized when an applicant for Section 8 has been denied or canceled.

NOTE: DHA is not required to provide the applicant an opportunity for an informal review for any of the following:

- (a) Discretionary administrative determinations by DHA.
- (b) General policy issues or class grievances.
- (c) A determination of the family unit size under DHA subsidy standards.
- (d) A DHA determination not to approve an extension or suspension of a voucher term.
- (e) A DHA determination not to grant approval to lease a unit under the program or to approve a proposed lease.
- (f) A DHA determination that a unit selected by the applicant is not in compliance with Housing Quality Standards (“HQS”).
- (g) A DHA determination that the unit is not in accordance with HQS because of the family size or composition.

3.10 Selection Preferences For Section 8 Programs

1) Local Selection Preferences for Section 8 Tenant-Based Assistance Program.

- (a) Chronically mentally ill as defined in *Arevalo, et al. v. City and County of Denver*.
- (b) Colorado Coalition for the Homeless.
- (c) Catholic Charities of Denver.
- (d) Atlantis Program.
- (e) Colorado Health Network.
- (f) Denver Department of Human Services.

Section 8 local selection preferences shall have the order of priority listed above.

3.11 Description of Local Selection Preferences - Section 8 Tenant-Based Assistance Housing

Refer to the Section 2.19: General Provisions for a detailed description of local selection preferences for the Section 8 programs.

3.12 Qualification and Verification of Claimed Local Selection Preference/Section 8 Programs

- 1) The Section 8 Housing Choice Voucher program does not maintain a waiting list, it selects applicants by lottery.

3.13 Notification of Selection Preference Denial/Section 8 Programs

If DHA determines that an applicant does not qualify for a local selection preference claimed by the applicant, DHA shall notify the applicant, in writing, within five (5) working days of the determination. The notice shall contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet with a representative of DHA to discuss the determination. The meeting may be conducted by any person or persons designated by DHA, who may be an officer or employee of DHA, including the person who made or reviewed the determination or a subordinate of that person.

3.14 Notification of Eligibility for Selection Preference/Section 8 Programs

All applicants who are approved for admission into the Section 8 program and qualify for a selection preference will be notified, in writing, of their preference status or any change in their preference status.

3.15 Notification of Eligibility for Admission/Section 8 Programs

Each applicant determined to be eligible for admission to the Section 8 program shall be notified, in writing, of such determination and of the approximate date (if possible) of occupancy, as estimated by DHA at the time of notification. A record of notification shall be maintained by DHA for a reasonable period of time.

3.16 Selection from the Lottery Pool/Section 8 Tenant Based Assistance and Project-Based Assistance

DHA shall follow the statutory requirement that at least 75% of newly admitted families to the Section 8 Tenant-Based Program and 40% of the newly admitted families to the Section 8 Project-Based Program, in any DHA fiscal year, be families whose annual income is at or below 30% of the area median income. To ensure that these requirements are met, DHA shall monitor, on a monthly basis, the incomes of newly admitted families, and the incomes of the families in the lottery pool.

3.17 Section 8 - Lottery System

The Section 8 application process is not a waiting list system; it is a “lottery” system. This system was created because previously, thousands of people would apply, creating years between openings, resulting in crowd problems and a lack of hope.

The Section 8 Lottery pool will be opened once each year. A public notice will be issued in all applicable newspapers advertising the lottery system and lottery pool opening. Lottery cards will be available to the public at various DHA locations. A lottery instruction sheet is attached to each lottery card; instructions are given in three languages (English, Spanish, and Vietnamese). All applicants that appear to be experiencing difficulties communicating in English will be asked if they need to communicate in a language other than English (including sign language). Their needs will be accommodated as much as possible. If another family member or a friend can translate, this option will be utilized to the maximum degree possible. However, DHA retains the right to verify, at a later date, the applicant’s English proficiency. The applicant must pick up a lottery card; complete all information; sign and date it; mail it to DHA; and it must be postmarked and received by the established deadline date. Lottery cards must be mailed to DHA or they will be considered invalid. An incomplete lottery card is also considered invalid.

A public notice is placed in the newspaper advertising the date of the drawing. The numbers drawn are posted at each of the various DHA locations where lottery cards were made available. The numbers are drawn randomly by the computer system. Drawings from that pool will be conducted as available vouchers warrant.

The Section 8 Eligibility Department will schedule the interviews for selected lottery recipients (from this point forward “recipient” will be addressed as “applicant”). A letter, a checklist, and an application packet will be mailed to each applicant. The letter will note the date and time of the interview. The applicant will need to complete and sign the application packet, and provide all of the required documentations and verifications on the day of their

scheduled interview. Interviews will not occur if the application is incomplete or if the applicant fails to bring in the required documentations or verifications; they will be afforded a second and final interview appointment.

Applicants will be processed and eligibility will be determined once all documents are received and verified. Recipients will be notified of their eligibility. Once the applicant is approved, he/she becomes a Section 8 participant and will be referred to the appropriate Section 8 Housing Technician to schedule their Orientation.

If there are any persons still in the lottery pool that were not drawn as of December 31st, those lottery entrants/tickets are discarded. The lottery system gives the applicant an opportunity to enter the lottery pool each year. For more details refer to the Section 8 Administrative Plan.

Also refer to Section 2.17: General Provisions.

3.18 Occupancy Guidelines for Section 8 Programs

- 1) The following guidelines are used to determine the number of bedrooms required to accommodate a family of a given size without overcrowding or over-housing. These guidelines may be waived, on a case-by-case basis, for legitimate reasons, or if it is necessary to achieve or maintain full occupancy.

<u>Number of Bedrooms</u>	<u>Number of Persons</u>	
	<u>Minimum</u>	<u>Maximum</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8
5	7	10

- 2) Dwelling units are assigned to avoid the necessity for persons of the opposite sex, other than Head of Household and spouse, to occupy the same bedroom. If necessary, at the time of admission, two (2) children of the opposite sex under the age of six (6) may be permitted to occupy the same bedroom. At the time of admission, the tenant may elect to have one (1) child under the age of three (3) occupy the parent’s bedroom.
- 3) For the purposes of determining the number of bedrooms required, every family member, regardless of age, is counted as a person. In determining bedroom size, DHA will include children who are temporarily away at school, or children who are temporarily in foster-care.

3.19 Assignment of Vouchers/Section 8

Each applicant shall be assigned his/her appropriate voucher in sequence, based upon factors affecting preference, or lottery drawing, and dates of processing. In the event that

two or more applicants have the same preference, date and time of processing will determine who is offered the voucher.

3.20 Housing Assistance Limitation for Single Persons/Section 8 Programs

A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a participant family may not be provided:

- 1) For other project-based assistance, a housing unit with two or more bedrooms; or
- 2) For tenant-based assistance, housing assistance for which the family unit size as determined by DHA subsidy standard exceeds the one-bedroom level.

This provision shall not apply to the Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals set forth in 24 C.F.R. part 882, subpart H.

3.21 Determination of Total Tenant Payment and Tenant Rent/Section 8 Programs

- 1) Minimum Rent (Section 8)
 - (a) The minimum rent for the Section 8 Housing Choice Voucher Program and Moderate Rehabilitation Program is \$25. However, if a family requests a hardship exemption, DHA will immediately suspend the minimum rent for the family until DHA can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.
 - (b) A hardship exists in the following circumstances:
 - i) When the family has lost eligibility for or is waiting for an eligibility determination for a Federal, State or local assistance program;
 - ii) When the family would be evicted as a result of the imposition of the minimum rent requirement;
 - iii) When the income of the family has decreased because of changed circumstances, including loss of employment;
 - (iv) When the income of the family has decreased because of changed circumstances for medical costs, childcare, transportation, education, or similar items;
 - (v) When a death has occurred in the family;
 - vi) Other situations as determined in DHA's sole discretion.
- 2) Minimum Rent Exceptions for Hardship Circumstances
 - (a) No hardship. If DHA determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
 - (b) Temporary hardship. If DHA reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90-days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. DHA will

offer a repayment agreement for any rent not paid during the period of suspension. During the suspension period DHA will not evict the family for non-payment of the amount of rent owed for the suspension period. DHA may request reasonable documentation of hardship.

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

Also refer to Section 4: Participant Provisions.

3.22 Leasing of Units/Section 8

Refer to the Section 4: Participant Provisions; Section 5: Landlord/Owner Provisions; and Section 6: Client/Landlord Provisions.

3.23 Re-Examinations/Re-Determinations/Section 8 Programs

Annually and at interim periods, as circumstances may require, the tenant will furnish information and certifications to DHA as to family income, employment, and family composition. This information will be used by DHA in determining participant's rent. The minimum rent for the Section 8 Housing Choice Voucher Program, and Moderate Rehabilitation Program is \$25. However, the minimum rent may be increased as determined by resolution of the Board of Commissioners.

- 1) Rent is determined at time of move-in, at the regular annual re-examinations, and anytime there's a change in income or household composition.
 - (a) All changes must be reported to DHA within ten (10) days of the change.
 - (b) If the amount of welfare is reduced specifically because the family engaged in fraud or failed to comply with an economic self-sufficiency or work activities requirement, the Section 8 contribution to rent cannot be reduced based on the benefit reduction. This provision is not applicable if the reduction is neither the result of the expiration of a lifetime limit on receiving benefits nor a situation where the family has complied with welfare program benefits but cannot obtain employment.

When DHA receives a request for income re-determination and rent reduction predicated on a reduction in participant's income from welfare, it may deny the request only after having written verification from the welfare agency that the family's benefits have been reduced because of non-compliance with an economic self-sufficiency program or work activity requirement or because of fraud.

- (c) Discovery that the participant has misrepresented the facts upon which the rent is based, and the participant is paying less than they

should have been charged. In this case, the increase in rent shall apply retroactively. Repayment arrangements may be made in accordance with DHA policy. Repayment arrangements must be made with DHA or the assistance may be terminated. Additionally, failure to make payments on the repayment agreement in a timely fashion will be cause to terminate the lease. If participant intentionally misrepresents facts upon which rent is calculated a second time, it will be cause to terminate the assistance.

- (d) If, at the time of admission or re-examination, due to unusual circumstances, projected annual income cannot be determined with any reasonable degree of accuracy, a temporary rent for a specified period not to exceed ninety (90) days may be established. At the expiration of the specified period, the income becomes stable, a new rent will be established. DHA will continue to conduct periodic reviews as often as necessary to determine the rent.

For additional detail, refer to the Section 4: Participant Provisions.

3.24 Addition of Household Member or Live-In-Aide to HAP Contract/Section 8.

Refer to the Section 4: Participant Provisions.

3.25 Misrepresentations/Section 8

The Section 8 participant will be notified, in writing, of any misrepresentations or lease violations discovered during the re-examination, rent review, or at other times. The applicant, or Section 8 participant certifies that accurate information has been provided regarding family composition, income, net family assets, allowances and deductions. Any misrepresentation is a violation of Federal regulations and shall result in lease termination, termination of Section 8 assistance and/or punishment under Federal law.

3.26 Order of Precedence

This Admissions and Occupancy Provisions define DHA's policies for the Public Housing and Section 8 Programs, incorporating Federal, State, and local law. If there is any conflict between this Policy and Federal law or HUD regulations, the laws and regulations shall prevail. If there is any conflict between this Policy and the dwelling lease or the grievance procedure, the dwelling lease or the grievance procedure shall prevail.

3.27 Services for Non-English Speaking Applicants and Participants

DHA has developed the Housing Authority of the City and County of Denver Language Assistance Procedure ("LAP") to ensure that all programs, services, and benefits are accessible to eligible individuals who, as a result of national origin, are limited in their English proficiency. This procedure outlines: 1) the process for determining the language needs of the population served; 2) the process for determining what documents are vital and will be translated; 3) provision of interpretation services for non-translated documents; 4) procedures for securing a certified interpreter; 5) how LEP Persons can access interpreter

services; and 6) DHA's right to certify that an individual is limited English proficient, prior to providing specific interpretation or translation services.

3.28 Paragraph Headings

The captions and headings set forth herein are for convenience of reference only, and shall not be construed so as to define or limit the terms and provisions hereof.

3.29 Violence Against Women and Department of Justice Reauthorization Act of 2005

The purpose of this Act is to protect the safety of victims of domestic violence, dating violence, sexual assault, and stalking who reside in public housing and ensure that such victims have meaningful access to the criminal justice system without jeopardizing such housing. The Act creates long-term housing solutions that develop communities and provides sustainable living solutions for victims of domestic violence, dating violence, sexual assault and stalking. This allows public housing agencies to build collaborations among victim service providers and to provide appropriate services, interventions and training to address the housing needs of victims of domestic violence, dating violence, sexual assault and stalking. The Act also enables public housing to respond appropriately to domestic violence, dating violence, sexual assault and stalking while maintaining a safe environment for all housing residents.

This Act amends the United States Housing Act of 1937 with regard to the Public Housing Program in the following ways:

- 1) Being a victim of domestic violence, dating violence or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies.
- 2) An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated lease violation by the victim or threatened victim and will not be good cause for terminating the assistance, tenancy or occupancy rights of the victim.
- 3) Criminal activity directly related to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights, if the tenant or an immediate family member of the tenant's family is a victim of that domestic violence, dating violence, or stalking.
- 4) A landlord or manager may bifurcate a lease in order to evict, remove or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal act of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant.
- 5) Landlords, managers, and DHA retain the right, when notified, to honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members in cases where a family breaks up.

- 6) A landlord or manager retains the right to evict, and DHA retains the right to terminate assistance to, a tenant for any violation of a lease not premised on the act or acts of violence in question against the tenant or a member of the tenant's household, provided that the landlord or manager will not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate a tenancy.
- 7) A landlord or manager retains the right to evict, and DHA retains the right to terminate assistance to, a tenant if it can be demonstrated that there is an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant's tenancy or assistance is not terminated.
- 8) Nothing in the Act shall be construed to supersede any provision of any federal, state, or local law that provides greater protection than the Act to victims of domestic violence, dating violence, or stalking.
- 9) A participating family may receive a voucher from DHA and move to another jurisdiction under the tenant-based assistance program if the family has complied with all other obligations of the Section 8 program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.
- 10) A landlord, manager, or DHA may request that an individual certify via a HUD approved certification form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the Act. Such certification shall include the name of the perpetrator. The individual shall provide the certification within 14 business days after the landlord, manager, or DHA requests it.
- 11) If the individual fails to provide the certification discussed in paragraph 10 above within 14 business days of a request, the landlord, manager, or DHA may terminate the assistance for any tenant or lawful occupant that commits a violation of the lease. The landlord, manager, or DHA may extend the 14 day deadline at their discretion.
- 12) An individual may satisfy the certification requirement discussed above in paragraph 10 by: 1) providing the requesting landlord, manager, or DHA with documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty or perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation; or 2) producing a federal, state, tribal, territorial, or local police or court record.
- 13) All information provided to a landlord, manager, or DHA relating to the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence, except to the extent that disclosure is:

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

Additional requirement for emergency transfers that are the result of domestic violence, dating violence, or stalking:

- 1) Requests for vouchers to transfer to another unit that are the result of domestic violence, dating violence, or stalking will only be approved if they are accompanied by documentation substantiating the domestic violence, dating violence, or stalking.

SECTION 4

PARTICIPANT PROVISIONS

PARTICIPANT PROVISIONS

4.1 Privacy Rights

Participant information is confidential. Current and forwarding address information, and family members claimed in the household will be released to appropriate law enforcement agencies upon official verification of request.

At time of application, and at time of annual determination and interim examination, each participant will sign a Privacy Statement, acknowledging that all family status information is released to HUD, and that this information is shared with other governmental agencies.

4.2 Previous Violation of a Family Obligation

A participant who has been canceled from the Section 8 programs for a violation of a family obligation cannot re-apply to the Section 8 programs for a period of one year, provided the Section 8 Lottery Pool is open at that time. This one-year will allow the family to establish references in relation to the family obligation violation and allow DHA to determine if such a violation is likely to occur in the future. If the violator of the family obligation is no longer part of the household, the family may not be required to wait the one year period before re-application, provided the Section 8 lottery pool is open.

Documentation must be provided by the family to verify that the violator is no longer part of the household, and will not be a member of the household. Allowable documentation includes, but is not limited to: proof of residence - i.e. utility bills, service bills, lease, etc.; and court documents.

4.3 Outstanding Amounts Due Other PHAs

If an applicant owes an outstanding balance to DHA or another PHA, the applicant will not be admitted to the Section 8 programs until the balance is cleared up to seven years. If a participant is already receiving Section 8 subsidy from DHA and it is discovered that the participant owes another PHA an outstanding balance, the participant must enter into a repayment agreement with the other PHA, and remain current on the repayment agreement, or he/she may be canceled from the program.

4.4 Issuance of Voucher

Each applicant shall be assigned his or her appropriate voucher in sequence, based upon preference, or lottery drawing, and date of receipt of the complete application. In the event that two or more applicants have the same preference, date of receipt of completed application will determine who is given the voucher first.

Identification is required of all household members, photo identification is required for all family members over the age of eighteen (18). Acceptable identification includes: social security card, birth certificate, drivers license, city identification card, and/or state identification card.

Families will be briefed in accordance with the HUD regulations regarding the provisions of the Section 8 program.

The Head of Household and any other adult family member is required to attend the family orientation. If an applicant misses a scheduled orientation appointment, without prior notification to the Section 8 office, the applicant will be canceled. If an applicant misses two scheduled orientation appointments, even if they have given prior notification to the Section 8 office, they will be canceled. Exceptions to the above include: reasonable accommodation, death, serious illness, and natural disasters. Requests for accommodation must comply with the Accommodation in Housing Guidelines (“RAHG”) and must be approved, in writing, by the 504 Coordinator. All other exceptions must be supported by written verification of incident, and approved by the Chief Operating Officer-Section8/Participant Services or his/her designee. A canceled applicant may re-apply for housing assistance if the Section 8 lottery pool is open.

DHA will provide a landlord/owner listing in the Orientation Packet. The Section 8 office maintains a listing of available units in the Denver area that will accept Section 8 participants. Each participant's Orientation Packet also contains a referral guide to various local agencies. The Section 8 Department will also maintain a list of landlords offering accessible units which will be made available upon request. The Section 8 Department will take appropriate steps to ensure effective communication with disabled applicants and participants, in compliance with DHA’s Guidelines for the Provision of Alternative Forms of Communication for Individuals with Disabilities. In the event a Section 8 participant believes they require an accommodation, the participant may request an accommodation in compliance with the Reasonable Accommodation in Housing Guidelines (“RAHG”).

DHA encourages participants to seek units in non-poverty areas. DHA will explain during orientation the advantages of searching for a unit in a non-poverty area. A map is provided to each family showing these areas.

At the conclusion of all program orientation sessions, the family representative will be required to sign and date the "Orientation Certificate" to confirm that all rules and pertinent regulations were explained to them.

4.5 Changes in Eligibility Prior to Effective Date of the Contract

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

4.6 Denial of Vouchers

See Section 3.7 of the Admissions and Occupancy Provisions of the Housing Authority of the City and County of Denver.

4.7 Term of Voucher

The initial term of the voucher is 60 days. Extensions will be approved only as a reasonable accommodation for persons with disabilities, which must be approved by the 504 Coordinator. In order for the participant to request an accommodation, the participant must follow the Reasonable Accommodation in Housing Guidelines. Upon the participant’s request, Section 8 will provide the Request for Accommodation forms to the participant.

4.8 Suspension of Voucher Term

When a Request for Tenancy Approval and proposed lease is received by DHA, the term of the voucher will not be suspended while DHA processes the request.

4.9 Expiration of Voucher Term

If an applicant family's voucher term or extension expires before the family has submitted a Request for Tenancy Approval, DHA will require the family to reapply for assistance. If a Request for Tenancy Approval that was submitted prior to the expiration date of the voucher is subsequently disapproved by DHA (after the term has expired), the family will be required to reapply for assistance.

4.10 Issuance of New Vouchers When a Participant Moves

If a participant submits a moving notice to relocate to a new unit, the participant will be issued a new voucher to allow them 60 days to find a new unit. The voucher number will remain the same, unless the bedroom size is changing. Extensions and re-issues will apply as stated above.

4.11 Shopping Incentive

There is no shopping incentive for a family that rents a unit below the payment standard.

4.12 Maximum Initial Rent Burden

A family must not pay more than 40 percent of the family's Monthly Adjusted Income for rent when the family first receives Section 8 tenant based assistance for a particular unit. This rule only applies for the initial lease term of a unit after October 1, 1999. The rule is not applicable if the family stays in their same unit. The rule does apply at initial lease-up each time the family moves to a new unit.

4.13 Minimum Rents

DHA has implemented a minimum tenant rent. This amount will be \$25.00 as approved by the Board of Commissioners.

Families are subject to the minimum total tenant payment, but may still be entitled to a utility reimbursement if the utility allowance is greater than the total tenant payment.

Exceptions to the minimum rent will be granted on a case-by-case basis for financial hardship as solely determined by DHA. Hardship may include:

- 1) Family has lost eligibility or is awaiting eligibility for a Federal, State, or local assistance program.
- 2) The family would be evicted as a result of the minimum rent.
- 3) The family income has decreased because of changed circumstances including loss of employment.
- 4) Death of a family member who contributes to the income of the family.
- 5) Other DHA approved circumstances.

DHA will not provide an exemption if the hardship is temporary. The family must demonstrate that the financial hardship is long term and provide documentation to support their claim.

If a family requests an exemption, DHA will suspend the minimum rent beginning the month following receipt of the request.

If the hardship is determined to be temporary, DHA will not impose the minimum rent for 90 days from the request. At the end of 90 days, the minimum rent will be retroactively reinstated and the family will be required to sign a repayment agreement for back assistance owed.

If it is determined there is no hardship, the minimum rent will be reinstated retroactively to the date of the suspension and the family will be required to sign a repayment agreement for back assistance owed.

If it is determined there is a hardship, the family will be exempt from the minimum rent until the hardship no longer exists. The family is required to report any changes in income, per the Changes in Family Status Section of this Administrative Plan.

Also refer to Section 3.21: Admissions and Occupancy Provisions.

4.14 Payment Standard Exception

At DHA's discretion, DHA may submit data to HUD for Payment Standard Exceptions.

Voucher holders may request a payment standard exception if the family includes a person with disabilities. DHA may request from HUD a payment standard exception of up to 120 percent of the FMR, if the payment standard exception is needed as an accommodation. Requests for accommodation must comply with the Reasonable Accommodations in Housing Guidelines.

4.15 Income Disregard

If targeted funding is provided, DHA will disregard for 12 months the:

- 1) Earned income of family members who were unemployed for a year or more and became employed;
- 2) Family member's income whose employment income increases as a result of participation in a family self-sufficiency program or job training program; or
- 3) Family member's income if they were receiving TANF benefits in the last six months and their income now has increased.

During the following 12 months, the family's rent may be increased by 50% of the amount that it would have been increased without the disregard. Instead of the disregard, the family may ask DHA to set up an escrow account. The determination to implement the disregard or escrow account will be at the sole discretion of DHA.

4.16 Determining Adjusted Income for Persons with Disabilities – Disallowance for Earned Income

DHA will disregard increases in annual earned income by persons with disabilities (as defined in 24 C.F.R. Section 5.403) receiving assistance under the Section 8 Housing Choice Voucher Program whose:

- 1) Annual Income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment; or
- 2) Whose Annual Income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- 3) Whose Annual Income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for Temporary Assistance for Needy Families ("TANF") funded under Part A of Title IV of the Social Security Act, as determined by DHA in consultation with the local agencies administering TANF and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance provided that the total amount over a six-month period is at least \$500.

Initial twelve month exclusion: During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in Annual Income attributable to employment, DHA will exclude from the Annual Income of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over prior income of that family member.

Second twelve month exclusion: During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in Annual Income attributable to employment, DHA will exclude from Annual Income of a qualified family 50% of any increase in income of such 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 disallowance of increased income of an individual family member who is a person with disabilities is limited to a lifetime 48-month period.

4.17 Changes in Family Status

The family is required to report in writing to the Section 8 Department all changes in family composition and income within ten (10) calendar days of the change. Failure to report said changes in ten (10) calendar days may result in cancellation from the Section 8 programs.

Annual cost of living increases in public assistance benefits: Temporary Aid to Needy Families (“TANF”), Supplemental Security Income (“SSI”), Aid to Needy Disabled (“AND”), Social Security (“SS”), etc. will be verified at the time of the participant's annual re-examination. These types of income verifications are good for one year. All other types of income verifications are considered current if they are not more than 60 days old.

At any time, DHA may conduct a re-determination of family income and composition.

At any time, a family may request a re-determination of income or family composition because of any changes since the last determination.

If a participant's rent is increased due to unreported income, the increase will be effective retroactive to the date of the increase in income. If the participant's rent is decreased due to unreported change in income, the decrease will be effective the first of the month after completion of the re-determination.

Participants must report decreases in income by the 1st of the month in order to have the decreased rent effective for the first of the following month. If the paperwork to process the reduction is not received by the Section 8 office by the 15th of the month, there is no guarantee that the decreased rent will be effective the 1st of the following month. If the paperwork is received by the end of the month, the decrease may be effective the first of the following month. In any event, the decrease will be effective the 1st of the month following the date the participant submitted all required paperwork, and once third party verifications are received.

When the participant reports an increase in income, a re-determination will be completed, and the participant and the landlord will receive at least 30-days’ notice of the new rent and HAP amounts.

4.18 Adding and Deleting Family Members

The addition of family members to the household must be approved by DHA and must meet the following family eligibility requirements:

- The person to be added to the lease is a blood-relative who is elderly or disabled and has a physician’s statement that documents the need for care from the family;
- The person added to the lease is a spouse of one of the adult household members;
- The person added to the lease is a minor who is under the custody of the adult household members. Legal custody of the minor must be documented.

The family must provide all required information for the person requesting to be added to the household. This information includes, but is not limited to, social security number, income information, etc. The family must submit written approval from the landlord to add a member to the household.

If there is a change in family unit size resulting from a change in family size or composition, the change will be effective either at the time of the family's annual re-examination or when the family moves.

If the family is responsible for delays in completing a re-determination, DHA may terminate assistance.

DHA may deny a request for a re-determination predicated on a reduction in participant income from welfare after obtaining written verification from the welfare agency that the family's benefits have been reduced because of:

- 1) non-compliance with economic self-sufficiency program;
- 2) failure to comply with work activities requirements; or
- 3) fraud.

This does not apply if the welfare reduction is the result of the expiration of a lifetime limit on receiving benefits, where the family has complied with welfare program requirements but cannot obtain employment. This provision is subject to the Section 8 informal hearing procedure.

Written notice to the family will be provided if such a request is denied.

4.19 Head of Household Designation

When there are two adults in the household, the family must designate who the Head of Household shall be. This designation is evidenced by signatures on the lease or housing choice voucher.

4.20 Definition of Family

See Section 1.20: Admissions and Occupancy Provisions of the Housing Authority of the City and County of Denver.

4.21 Definition of Members of the Family

For the purposes of denial and termination of assistance, the definition of members of the family may include any unauthorized family member, and/or guest. Also refer to Section 1.35: Admissions and Occupancy Provisions of the Housing Authority of the City and County of Denver.

4.22 Family Absence from the Unit

The family may be absent from the unit for brief periods. Absence from the unit is defined as no family member residing in the unit. If the family is going to be absent from the unit for more than 30 days and wishes to retain their voucher, they must make a written

request for such absence to be approved by Section 8. The family must also submit written approval from the landlord for the absence. The family may not be absent from the unit for a period of more than 180 consecutive days in any circumstances or for any reason. If the family is absent from the unit for more than 180 days, the family will be terminated from the program. The family will be eligible to re-apply for the program when the lottery pool is opened.

In the case of family absence, assistance payments are terminated and the family is responsible for the full contract rent. In the case where no assistance has been paid for 180 days, the assistance contract will be terminated.

4.23 Family Break Up

If an assisted family breaks up (divorce etc.), the family member with legal custody of any dependents will remain in the program. The other family member will be removed from the program. In the event there are no dependents, or both adults have legal custody, DHA has the discretion to determine which family members will continue to receive assistance in the program. DHA will consider the following factors:

- 1) The interest of minor children or of ill, elderly or disabled family members.
- 2) Other relevant factors.

When a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, DHA will be bound by the court's determination of which family members continue to receive assistance in the program.

All cases of family break up must be documented and verified. Acceptable documents include: separation papers, divorce papers, abandonment papers, notarized statement from member leaving that they are doing so and forgoing any right to the Section 8 assistance.

4.24 Zero Income or Unstable Income

Participants with unstable income or zero income may be required to report their income status monthly to the Section 8 Department. Participants will be provided with a supply of reports to send to the Section 8 Department on the first of each month. The participant must state what their current income is and the source of income. Failure to provide the monthly statement and attend a monthly interview may result in cancellation from the Section 8 program.

4.25 Annual Re-Examination

A participant's annual re-examination date is based on the effective date of the participant's last re-examination. The effective date of the annual re-examination will be no more than 364 days from the last re-examination. DHA may require re-examinations more frequently when the family has seasonal or irregular income, or for other good reasons.

Families will be sent one application notice asking for preliminary information needed for the re-examination. If the family does not provide the requested information within the specified timeframe, the family may be canceled from the program. Follow up requests may be made of the family to provide additional information needed to complete the re-examination. This

follow up information must be provided within the specified timeframe, or the family may be canceled from the program.

If the participant brings in the required re-examination paperwork before the effective date of their cancellation for failure to provide said documents, the participant may be reinstated to the program. Decisions to reinstate participants for this reason will be made by the Program Manager.

If a family is responsible for delays in completing the annual re-examination or interim examination, DHA may terminate assistance, or make retroactive the effective date for changes due to late re-examinations.

4.26 Verification of Statements and Income

All income and asset information will be verified by DHA. Verification of family composition will be satisfied by submitting birth certificates from the Bureau of Vital Statistics for all children in the family. Legal child custody papers, or other sufficient documents.

When a participant reports Annual Income that appears to be less than adequate for the family's needs, or if the family appears to be eligible for income that is not reported to be received (i.e. TANF, Welfare, Unemployment Compensation, Child Support, etc.), the absence of such income will be verified.

Verification obtained at re-examination must be no more than 120 days old on the effective date of the re-examination.

Participant files will contain documentation of all verifications.

- 1) Participant must furnish information on income, assets , and allowances of all household members and provide authorization for DHA to obtain verification from a third party of all statements regarding income, assets, and allowances.
- 2) METHODS OF VERIFICATION AND AGE OF DATA

All income, assets, and each applicable deduction or exemption will be verified prior to admission and at each subsequent re-examination or re-determination.

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

- (a) Enterprise Income Verification (EIV)
- (b) Third-party written verification
- (c) Third-party oral verification
- (d) Review of documents
- (e) Certification/self-declaration

I. Enterprise Income Verification

DHA will utilize EIV tools, including TASS and the Work Number, whenever possible.

When HUD announces the availability of the EIV system for DHA, we will utilize additional EIV tools, including a centralized computer matching system. DHA will pursue other computer matching agreements with Federal, State, and local government agencies.

II. Use of Third-Party Verification to Supplement Up-Front Income Verification

EIV 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 EIV. EIV should not be considered an automatic substitute for other third-party verification. Rather, EIV may supplement other verification documentation, such as original, current tenant-provided documents.

III. Third-Party Written Verification

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

Two attempts to obtain third-party verification will be made before relying on another method. Verifications received electronically directly from the source are considered third-party written verifications.

Third-party verification forms, including computerized printouts, will not be hand-carried by the family under any circumstances. The PHA will send requests for third-party written verifications to the source at all times regardless of whether the family provides a computerized printout. The PHA will allow four weeks for return of third-party written verifications. If third-party written verification is not used, the PHA will document the reasons in the file.

For applicants, verifications may not be more than 60 days old at the time of voucher issuance. For participants, they are valid for 120 days from date of receipt.

IV. Third-Party Oral Verification

Third-party oral verification will be used when third-party written verification is delayed or impossible. When third-party oral verification is used, staff will be required to complete a Verification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If third-party oral verification is provided by

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

V. Review of Documents

In the event that third-party written or oral verification is unavailable or information has not been verified by a third party within four weeks, DHA will document the file accordingly and utilize documents provided by the family as the primary source of verification if the documents contain complete information.

All such documents, excluding government checks, will be photocopied and retained in the family file. When documents cannot be photocopied, staff viewing the documents will complete a Certification of Document Viewed or Person Contacted form.

DHA will accept the following documents from families providing that tampering can be easily noted:

- (i) Printed wage stubs
- (ii) Computer printouts from employers
- (iii) Signed letters (provided that the information is confirmed by phone)
- (iv) Other documents identified by DHA as acceptable verification

DHA will accept faxed documents. DHA will not accept photocopies. If third-party verification is received after documents have been accepted as provisional verification and there is a discrepancy, DHA will contact the third-party source and the family to resolve any differences.

DHA will allow up to one week for families to provide documents when third-party verification is impossible to obtain. DHA will not delay the processing of an application beyond 45 days because a third-party information provider does not return verification in a timely manner.

VI. Self-Certification/Self-Declaration

When information cannot be verified by a third party or by review of documents, families will be required to submit a self-certification. Self-certification means a notarized statement signed under penalty of perjury in the presence of a witness. DHA will allow up to one week for a family to provide a self-certification or self-declaration if other forms of verification are impossible to obtain.

4.27 Verification of Assets

1) Family Assets

DHA will utilize the current balance for savings accounts and the average two-month balance for checking accounts. DHA will require the information necessary to

determine the current cash value of a family's assets (the net amount the family would receive if the asset were converted to cash).

To document the existence of an asset, acceptable verification may include:

- (a) Verification forms, letters, or documents provided directly by a financial institution or broker

If third-party verification is not available, any of the following may be accepted:

- (a) Passbooks, checking account statements, certificates of deposit, bonds, or financial statements supplied by a family if completed by a financial institution or broker
- (b) Estimates by a stockbroker or real estate agent of the net amount a family would receive if it liquidated securities or real estate
- (c) Real estate tax statements if the approximate current market value can be deduced from them
- (d) Financial statements for business assets
- (e) Copies of closing documents showing selling price and distribution of sales proceeds
- (f) Appraisals of personal property held as an investment
- (g) A family's self-certification describing assets or cash held at the family's home or in safe-deposit boxes

Assets Disposed of for Less Than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Re-certification

At admissions and re-examinations DHA will obtain each family's certification that it has or has not disposed of assets for less than fair market value during the two years preceding the effective date of the certificate or re-certification.

At re-examination, DHA will obtain each family's certification of assets, via a Statement of Asset Form, that the family is required to sign.

If the family certifies that it has disposed of assets for less than fair market value, the certification must show: (a) all assets disposed of for less than fair market value, (b) the date they were disposed of, (c) the amount the family received for each asset, and (d) the market value of each asset at the time of disposition. Third-party verification will be obtained whenever possible.

4.28 Income from Assets

- 1) Savings or Checking Account Interest and Dividend Income
Acceptable methods of verification include, in this order:
 - (a) DHA verification forms filled out or other statements supplied by the financial institution or, if these are not available, account statements, passbooks, or certificate of deposit statements supplied by the family.

- (b) Broker statements showing the value of stocks or bonds and the earnings credited to the family (Earnings can also be obtained from current newspaper quotations or orally from brokers.)
 - (c) IRS Form 1099 from a financial institution provided that DHA adjusts the information to project earnings expected for the next 12 months.
- 2) Interest Income from Mortgages and Similar Arrangements
Acceptable methods of verification include, in this order:
- (a) A letter received directly from an accountant, attorney, real estate broker, the buyer, or a financial institution stating the interest due for the next 12 months (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
 - (b) An amortization schedule showing interest for the 12 months following the effective date of certification or re-certification.
- 3) Net Rental Income from Property Owned by Family
Acceptable methods of verification include, in this order:
- (a) IRS Form 1040 with Schedule E (Rental Income)
 - (b) Copies of latest rent receipts, leases, or other documentation of rent amounts
 - (c) Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense
 - (d) Lessee's written statement verifying rent payments to the family and the family's self-certification of net income realized.

DHA will require additional information prior to determining eligibility such as, but not limited to:

- (a) Colorado Bureau of Investigations ("CBI") reports.

4.29 Underhoused or Overhoused Participants

DHA will upgrade a family's voucher to the appropriate bedroom size, at the time of annual re-examination or at the time of a move, if the family is underhoused, based upon availability of vouchers.

Participants who are overhoused will be required to relinquish their overhoused voucher and will be issued a voucher in the appropriate bedroom size at the time of re-examination or move. Failure on behalf of the family to report an overhoused situation may result in repayment of the excess subsidized rent and/or cancellation from the program.

4.30 Family Moves

The family must notify the landlord and DHA, in writing, of its intent to move in accordance with the landlord's lease. The family's re-certification date does not change when the family moves.

If the family is in the middle of a lease term, the family must obtain a Mutual Rescission of Lease from the landlord in order to move.

4.31 Housing Authority May Deny Permission to Move

At any time, DHA may deny permission to move due to the following:

- 1) If the family does not notify DHA and the owner before the family moves out of the unit or terminates the lease.
- 2) If the family has moved within the past 12 months (Section 8 participants are only allowed to move once in a 12 month period).
- 3) If the family has not reimbursed a PHA for any amounts paid to a landlord/owner under a HAP Contract.
- 4) If the family breaches an agreement with a PHA to pay amounts owed to a PHA.
- 5) If the family does not allow DHA and landlord/owner to inspect/repair the unit at reasonable times and after reasonable notice.
- 6) If the family is responsible for an HQS breach caused by the family.
- 7) If the family commits any serious or repeated violations of the lease, including any drug-related criminal or violent criminal activity, or other criminal activity. The family must promptly give DHA a copy of any landlord/owner eviction notice.
- 8) If the family owes a PHA money for any reason.
- 9) If DHA does not have sufficient funding for continued assistance.
- 10) Any other HUD allowed reason.

4.32 Live-In-Aide

A family may request that DHA approve a Live-In-Aide to reside in the unit and provide necessary supportive services. Before adding a Live-In-Aide, the head of household must request an accommodation, in accordance with DHA's Reasonable Accommodation in Housing Guidelines, and the request must be approved in writing by the 504 Coordinator, prior to the addition of a Live-In-Aide to the lease. The landlord of the unit must provide written approval of the Live-In-Aide being a tenant in the unit. A criminal background check will be conducted by DHA. A Live-In-Aide does not qualify as a Remaining Family Member. At any time, DHA may refuse to approve a particular person as a Live-In-Aide, or may withdraw such approval if:

- 1) The person commits fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program.

- 2) The person commits any drug-related criminal activity or violent criminal activity.
- 3) The person currently owes rent or other amounts to DHA or another PHA in connection with Section 8 or Public Housing assistance.
- 4) The person is subject to a lifetime registration requirement under a state sex offender registration program.

The Live-In-Aide is added to the Section 8 lease, and noted as a Live-In-Aide. The Live-In-Aide is also noted as such on the HAP contract.

4.33 Continuously Assisted

A family is “continuously assisted “if the family is already receiving assistance under any provision of the 1937 Housing Act when the family is admitted to the Housing Choice Voucher or Moderate Rehabilitation program.

4.34 Request for Tenancy Approval Limitation

The participant is allowed to submit one Request for Tenancy Approval (RFTA) at a time. The participant may only submit another RFTA if the previously submitted RFTA is voided.

A RFTA will be denied if it is not completed by both the landlord/owner and the participant. It will be denied if it is not in DHA’s legal jurisdiction, is over the Fair Market Rent/Payment Standard, does not meet rent reasonableness or exceeds the 40% limitation, or for any other DHA determined reason.

Reasons for denials will be communicated to the participant and the landlord/owner promptly.

The RFTA must be submitted during the term of the voucher.

The initial lease period must be for one year.

4.35 Relocation of Witnesses and Victims of Crime

HUD is directed to provide Section 8 assistance for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing. DHA will accept written referrals from HUD.

All referred applicants must meet Section 8 eligibility criteria before admission to the program.

4.36 Victims of Domestic Violence An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated lease violation by the victim or threatened victim and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim.

Criminal activity directly related to domestic violence, dating violence or stalking engaged by a member of the household, guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy or occupancy rights of the tenant if the tenant or an immediate family member is the victim or threatened victim.

An owner or manager may bifurcate a lease in order to evict, remove or terminate assistance to any individual who is a tenant or lawful occupant and who engages in physical violence, without evicting, removing or terminating assistance to or otherwise penalizing the victim who is a tenant or lawful occupant.

Nothing in the amendments limits the ability of an owner or manager to evict, or a public housing agency to terminate assistance to, a tenant for any violation not premised on acts of violence against the tenant or members of the tenant's household. A victim of such violence may not be held to a more demanding standard than other tenants.

Nothing in the amendments limits the ability of an owner or manager to evict, or a public housing agency to terminate assistance to, any tenant or lawful occupant if it can be demonstrated that the tenant or lawful occupant presents an imminent or actual danger to other tenants or employees of the property.

The family of a victim of domestic violence may receive a voucher and move to another jurisdiction under the voucher program if the family has complied with all other program obligations, and has moved out to protect the health and safety of an individual who is or has been the victim of domestic violence, dating violence or stalking and who believes they are in imminent danger of harm.

DHA shall request that the individual certify via a HUD approved certification form that the individual is a victim of domestic violence, dating violence or stalking

4.37 Criminal/Credit Checks

DHA may, at any time, obtain a criminal history and/or credit check for any member of a participant household for the purpose of determining whether a family meets DHA's standards for continued participation in the program. Background checks and terminations based thereon may occur after admission to the program.

4.38 Terminations

The participant may be terminated from the program for the following reasons, which include, but are not limited to:

- 1) Any violation of the family obligations by any member of the family. (For definition of Members of the Family refer to Section 1.35: Definitions and Section 4.21: Participant Provisions.)
- 2) DHA may terminate assistance for drug-related or violent criminal activity, or other criminal activity engaged in on or near the premises by any participant, participant's member of the family, and/or guest, and any such activity engaged in on the premises by any other person under the participant's control

- 3) Lease violations by any family member.
- 4) Eviction from the program for serious lease violations.
- 5) Eviction from public housing by any family member.
- 6) Illegal use of a controlled substance by any family member.
- 7) Criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.
- 8) Criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of DHA.
- 9) Alcohol abuse by any family member.
- 10) Termination from a Section 8 assistance program by any family member.
- 11) Failure to sign consent forms.
- 12) Actual or threatened abusive or violent behavior toward DHA personnel by any family member.
- 13) Damages to the unit caused by any family member.
- 14) If any family member is subject to a lifetime registration requirement under a state sex offender registration program.
- 15) If any family member has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- 16) If any family member is convicted of manufacturing or producing methamphetamine on the premises of any federally assisted housing site, including common areas and grounds.
- 17) If a family participating in the Family Self Sufficiency (“FSS”) Program fails to comply, without good cause, with the family’s FSS Contract of Participation.
- 18) If the family currently owes rent or other amounts to DHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- 19) If the family has not reimbursed any PHA for amounts paid to a landlord/owner under a HAP Contract for rent, damages to the unit, or other amounts owed by the family under the lease.

- 20) If the family fails to fulfill its obligations under the Section 8 Welfare to Work Voucher Program.
- 21) If the family breaches an agreement with a PHA to pay amounts owed to a PHA, for amounts paid to a landlord/owner by a PHA. (The PHA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a PHA or amounts paid to an owner by a PHA. The PHA may prescribe the terms of the agreement.)
- 22) A family member does not establish citizenship or eligible immigration status.
- 23) If applicant has been convicted of a crime involving unlawful sexual behavior, or any person classified as a sexually violent predator, who is required to register with a local law enforcement agency in which he/she resides in accordance with Section 18-3-412.5, C.R.S.
- 24) Violent criminal activity shall include, but not be limited to any illegal criminal activity that has as one of its elements: attempted use or threatened use of physical force against the person or property of another.
- 25) Any other HUD allowed reason.

DHA may consider all of the circumstances in each case in deciding to terminate assistance.

DHA may impose, as a condition of continued assistance for other family members, a requirement that the family members who participated in or were culpable for the action or failure to act, will not reside in the unit.

4.39 Drug-Related and Violent Criminal Activities

Section 8 participants who have been evicted, pursuant to court action, from a unit for drug-related or violent criminal or other criminal activities will be canceled from the Section 8 program. If a Section 8 participant or a member of a participant family has engaged in or was convicted of: 1) drug related criminal activity; 2) violent criminal activity; 3) other criminal activity which may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or 4) other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of DHA while participating in the program, the participant will be canceled. If the landlord is issued a cease and desist order for a family for drug-related or violent criminal activities, the family will be canceled. If DHA determines, after initial occupancy, that the participant or a member of the participant's family (whether authorized or unauthorized to include guest), had engaged in or was convicted of drug-related, violent criminal activities, or other criminal activities and either did not report the incident or conviction, or it was not uncovered at the time of application and admission to the program, the participant will be canceled.

4.40 Drug/Alcohol Dependence

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 drug or alcohol dependence.

4.41 Family No Longer Requires Assistance

As a family's income increases, the amount of the PHA subsidy goes down. If the amount of the Section 8 Housing Choice Voucher assistance provided by PHA drops to zero and remains at zero for 180 consecutive calendar days, the family's assistance terminates automatically.

DHA's policy: If a participating family receiving zero assistance experiences a change in circumstances that would cause the HAP payment to rise above zero, the family must notify DHA of the changed circumstances and request an interim re-examination before the expiration of the 180-day period.

SECTION 5
LANDLORD/OWNER PROVISIONS

LANDLORD/OWNER PROVISIONS

5.1 Privacy Rights

To the extent permitted by law, landlord/owner information regarding participation in Section 8 programs will be kept confidential.

5.2 Outreach

DHA solicits landlord/owner participation through advertisements in local community newspapers, neighborhood associations, apartment and housing service agencies, and disability organizations specifically targeted in non-poverty areas. In addition, an Annual Landlord Open House is conducted to encourage participation by landlords and owners outside of poverty areas.

Landlords/owners are also solicited through briefings. As appropriate, DHA may also provide incentives to encourage landlord/owner participation.

5.3 Security Deposits

Landlords/owners set their own security deposit. It must be a reasonable amount, and comparable to deposits for similar units.

5.4 Family Suitability for Tenancy

DHA has no liability or responsibility to the landlord/owner or other persons for the family's behavior or conduct in tenancy.

The landlord/owner selects the tenant and is responsible for tenant screening. The landlord/owner decides whether the family is suitable for tenancy. DHA's decision whether to admit an applicant to the program is not based on an applicant's suitability for tenancy. DHA has not screened the participant's behavior or suitability for tenancy, such screening is the responsibility of the landlord/owner. The landlord/owner should contact DHA for the family's current and past landlord/owner history.

At the landlord's/owner's request, DHA will provide the landlord/owner the following information on potential participants or applicants:

- 1) Participant's current and previous address.
- 2) Participant's current and previous landlord's/owner's name and address.
- 3) Amount of damage claim(s) filed against the participant.
- 4) Other information in DHA's possession including information about the tenancy history of family members.

If DHA was a past landlord of the participant or has knowledge of a participant's past tenancy, DHA will provide the potential landlord/owner a reference of that participant's tenancy. DHA strongly encourages landlords/owners to contact DHA for reference

information and to conduct tenant screening, and includes statements to this affect to the landlord/owner on and with the RFTA.

5.5 Landlord/Owner Certification of Rents

By accepting each monthly HAP from DHA, the landlord/owner certifies that the rent to landlord/owner is not more than the rent charged by the landlord/owner for comparable unassisted units on the premises. The landlord/owner must give DHA information (if requested by DHA) on rents charged by the landlord/owner for other units on the premises or elsewhere. The initial lease must be for 12 months.

5.6 Execution of Contracts

DHA is not responsible for any part of the rent prior to the date the unit passes the inspection or prior to the execution of the HAP Contract.

After the unit passes a Housing Quality Standards (HQS) inspection, the lease between the landlord/owner and participant is signed and dated by both parties. The HAP Contract is signed and dated by the landlord/owner. The HAP Contract is subsequently executed on behalf of DHA by the Section 8 Program Manager if all required paperwork is properly completed. A copy of the contract is then mailed to the landlord/owner. Prior to the execution of the HAP Contract, the landlord/owner must inform DHA and the family of any knowledge of the presence of lead based paint on the surfaces of the residential unit.

The HAP Contract is not effective until the unit has passed HQS and the lease is effective. The lease is not effective until it is signed by both the landlord/owner and the participant, and the participant is eligible to enter into a lease. The effective date of the lease cannot be a date before the date the lease is signed by both the landlord/owner and the participant.

The landlord/owner must provide DHA the proposed rent, whether utilities are included in the rent, and the taxpayer ID number on a Form W9. If the landlord/owner submits an incomplete or inaccurate RFTA, or a Form W-9, DHA will not execute the HAP Contract until the form(s) are corrected. If the IRS subsequently notifies DHA that the W-9 is incorrect, the HAP may be withheld until a corrected W-9 is received.

The HAP contract must be executed no later than 60 days from the beginning of the lease term. If a HAP Contract has not been executed by Section 8 within the 60-day time limit, the HAP Contract will be voided. New leases and contracts must be executed. DHA cannot pay any HAP to the landlord/owner until the HAP Contract has been executed.

5.7 Separate Agreements

The following types of landlord/participant separate agreements are acceptable: agreement for parking, furniture and/or appliances, late charges, pets and pet deposits, community rules, covenants, or agreement to pay security deposit in installment payments. Separate agreements must be attached to the Residential Lease as a Lease Addendum. A copy of the Lease Addendum indicating the separate agreement(s) must be provided by the landlord/owner to the Section 8 office.

The following types of landlord/participant separate agreements are not acceptable: agreements for altered security deposit, altered rent amounts, excess utilities. The lease may

not require the family to pay charges for meals or supportive services. Non-payment of such charges is not grounds for termination of tenancy. The landlord/owner may not charge the family extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants on the premises.

If it is determined that a landlord/owner and participant are participating in a separate agreement that is not acceptable to the Section 8 program, the participant will be canceled from the program and the landlord/owner will be banned from the program. The participant may request an informal hearing regarding the cancellation.

5.8 Evictions

Evictions may be conducted only by a landlord/owner and in accordance with State and local laws. Landlords/owners must give written notice to DHA of any such legal actions. Landlords/owners are required to provide the Section 8 office copies of all court action papers regarding Section 8 participants.

Landlord/owner termination of tenant:

- 1) Landlords/owners must give the tenant a written notice that specifies the grounds for termination of tenancy. The notice of grounds must be given at or before commencement of the eviction action. The landlord/owner must comply with State laws regarding legal notices to the Participant.
- 2) Landlords/owners must give DHA a copy of any landlord/owner eviction notice to the tenant. An eviction notice is a notice to vacate, a complaint, or other initial pleading used under state or local law to commence an eviction action.
- 3) Landlords/owners may only evict the Participant from the unit by instituting a court action.

Not grounds for termination of tenancy:

- 1) DHA's failure to pay the HAP to the landlord/owner is not a violation of the lease between the tenant and the landlord/owner. During the term of the lease the landlord/owner may not terminate the tenancy of the family for non-payment of the HAP.

Provided the landlord/owner initiates an eviction action in accordance with the lease, and follows all pertinent laws and files all pertinent actions, and supplies the Section 8 office with copies of all pertinent legal documents; the landlord/owner is entitled to a HAP until the participant voluntarily moves or is evicted.

5.9 Terminations

The landlord/owner may terminate the lease for lease violations at any time. The landlord/owner may terminate the lease for any other reason at any time after the initial lease term. The landlord/owner must follow State and local laws in giving termination notice to the family, and must provide DHA a copy of the termination notice immediately.

5.10 Landlord/Owner Payments

HAP will be withheld if the unit fails to meet HQS. HAP will also be withheld if the landlord/owner has instituted eviction or other court action, the ownership of the unit has changed, the ownership is in question, the tenant gives notice to vacate, the tenant's assistance is in question, or any other reason that DHA determines that the HAP Contract has been breached.

If a landlord/owner is in the eviction process, the landlord/owner should notify Section 8 before the third week of each month if the tenant is still in the unit, so that the HAP can be released.

5.11 Landlord/Owner Rent Increases

The landlord/owner cannot request a rent increase during the initial term of the lease. After the first term, the landlord/owner may request a rent increase in accordance with the landlord/owner lease. All units will be tested for rent reasonableness at the time of the rent increase. For Mod Rehab, rent increases may not exceed the Annual Adjustment Factor ("AAF") published by HUD. HUD Regulations regarding Special Adjustments will be utilized in those instances where the rent increase exceeds AAF.

By making the rent increase request, the landlord/owner acknowledges that during the initial term of the lease, the landlord/owner has complied with all requirements of the HAP Contract, including HQS. The landlord/owner must notify the participant and DHA no later than 60 days prior to the effective date of the rent increase. The landlord/owner must send written notification to the participant and to DHA. The rent increase will be made effective on the first of the month following 60 days' notice to the participant and DHA. The rent reasonableness will apply at the time of the request.

5.12 Landlord/Owner Maintenance Responsibilities

The landlord/owner is responsible for maintaining the unit in accordance with HQS, including performance of ordinary and extraordinary maintenance.

5.13 Disqualification of Landlord/Owner from Program

If a landlord/owner violates any obligation under any HAP Contract, commits fraud, or makes any false statements to DHA in connection with any Federal housing program, or has engaged in drug related criminal activity or violent criminal activity, the landlord/owner may be disqualified from participating in the program, and if already participating, may be terminated indefinitely from the program and may have all current HAP Contracts canceled.

In addition, the landlord/owner may be terminated or disqualified from the program if the landlord/owner has a history or practice of failing to terminate the tenancy of Section 8 families or other federally assisted families if any member of the household, a guest, or another person under the control of any member of the household:

- 1) Threatens the right to peaceful enjoyment of the premises by other residents.
- 2) Threatens the health and safety of other residents, employees of DHA, landlord/owner employees, or management.
- 3) Threatens the health and safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises.
- 4) Has engaged in drug related criminal activity or violent criminal activity.
- 5) Has allowed unauthorized persons to live in the unit.

5.14 Penalties for Late HAP Payment

DHA must pay the HAP promptly when due the landlord/owner. The HAP contract sets forth the circumstances pursuant to which DHA will be obligated to pay the landlord/owner a penalty for late HAP payment.

SECTION 6
CLIENT/LANDLORD PROVISIONS

CLIENT/LANDLORD PROVISIONS

6.1 Leasing

The landlord/owner must submit his/her lease to the Section 8 Department for approval. The lease form must be in the standard form used in the locality by the landlord/owner. It must contain terms that are consistent with State and local laws that generally apply to unassisted tenants in the same property. The lease must specify what utilities and appliances are to be supplied by the landlord/owner and what utilities and appliances are to be supplied by the family.

The family must have legal capacity to enter into a lease under State and local laws. If a family cannot enter into a lease during the term of their voucher, they will be terminated from the program.

Once the lease is approved for Section 8 use, the landlord/owner must attach the HUD Lease Addendum to the lease. Any revisions or new leases must be approved by the Section 8 Department prior to execution with a Section 8 client.

Prior to admission, the landlord's/owner's lease and HUD Lease Addendum shall be signed by the Head of Household and the landlord/owner. The Lease is to be current at all times and must be compatible with DHA policies, as well as Federal, State and local laws.

6.2 HAP Contract Term

The term of the HAP Contract begins on the first day of the lease term and ends on the last day of the lease term.

The lease term is effective when: 1) the family is eligible under Section 8 program requirements to enter into a lease, 2) the unit has passed HQS, and 3) the lease has been signed by both the landlord/owner and family.

6.3 Termination of HAP Contracts

When DHA terminates a HAP Contract, the landlord/owner and the family will be notified in writing.

The HAP Contract terminates at the end of the calendar month that follows the calendar month in which DHA gives such notice to the owner.

Automatic termination of the HAP Contract results when:

- 1) A family vacates the unit either in violation of the lease or by mutual agreement with the landlord/owner before termination of the lease/contract, or
- 2) The lease is terminated by the landlord/owner or the family; or
- 3) The landlord/owner will not renew the HAP Contract or extend the current lease,

- 4) The sole participant dies, or
- 5) There has been no HAP for 180 days, or
- 6) DHA terminates assistance for the family.

DHA will give written notice of termination in the following situations:

- If a unit has HQS violations and the landlord/owner fails to correct deficiencies;
- The family has paid contract rent for six (6) months after a re-examination, which determined the family's share equaled the contract rent; or
- Any reason stated under Client Terminations in this document; or
- The landlord/owner violates the terms of the HAP Contract, or the family violates the terms of the Certificate of Family Participation, Housing Voucher, or Statement of Family Responsibilities.

6.4 Negotiating Rent to Landlord/Owner

The landlord/owner and the family negotiate the rent to landlord/owner. At the family's request, DHA will assist the family to negotiate the rent to landlord/owner. DHA will assist in negotiating reasonable rents with the landlord/owner.

6.5 Housing Quality Standards

Participants must allow landlords/owners and DHA to make inspections of their units at reasonable times and after reasonable notice. If the participant does not cooperate with scheduling and attending inspections, they may be canceled from the program. The participant must allow the landlord/owner to make repairs to the unit to meet HQS standards. If the participant does not allow the landlord/owner to make required repairs to the unit or fails to sign certification after repairs are done, the participant will be canceled from the program.

The landlord/owner and the participant must maintain the unit in accordance with HQS, and HUD regulations. Failure to do so could result in abated HAP, or termination of the HAP Contract.

The family is responsible for a breach of the HQS that is caused by any of the following:

- 1) The family fails to pay for any utilities that the landlord/owner is not required to pay for, but which are to be paid by the participant;
- 2) The family fails to provide and maintain any appliances that the landlord/owner is not required to provide, but which are to be provided by the participant;

- 3) Any member of the household or guest damages the dwelling unit or premises (damages beyond ordinary wear and tear);
- 4) If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any DHA approved extension).
- 5) If the family has caused a breach of the HQS, DHA must take prompt and vigorous action to enforce the family obligations. DHA may terminate assistance for the family in accordance with HUD regulations.

DHA may charge the family a penalty fee for not showing up or allowing access for a scheduled HQS inspection. The penalty fee determined by DHA shall be a reasonable amount.

Types of Inspections:

1) INITIAL INSPECTIONS

When a participant submits a RFTA, an inspection will be performed on the unit to assure compliance with HQS. If the unit fails HQS, the landlord/owner and participant will be advised of such. The landlord/owner will contact DHA when the unit is ready for re-inspection, a maximum of 30 days after initial inspection. DHA will then conduct a follow-up inspection if the participant is still interested in the unit. If the unit fails HQS for a second time, the unit will not be considered suitable for the participant and the participant must locate another unit. If the participant chooses not to lease the unit after the unit has failed the initial inspection, the participant must advise the Section 8 Department of such. The participant may then be eligible to submit a RFTA for a different unit.

Both the landlord/owner and the participant are required to be present at the initial inspection. The DHA inspector will take the residential lease and HAP Contract to the inspection. Providing the unit passes HQS inspection, and meets rent reasonableness, the landlord/owner and participant may enter into the residential lease on the day the unit passes HQS inspection, if the participant is eligible to enter into a lease on that day. If the participant or the landlord/owner fails to attend the scheduled inspection, the inspection may not be performed and the leases and contracts will not be signed. An inspection will be re-scheduled once, if either of the parties fails to be present. If either of the parties fails to be present for the re-scheduled inspection, the HAP Contract with the landlord/owner will be canceled.

If the voucher expires before the landlord/owner makes the required repairs to the unit, and the unit is repaired and meets HQS standards within 30 days after the initial inspection, the voucher will be honored and a HAP Contract will be executed on behalf of the participant for that specific unit, effective the date of the passed inspection and the effective date of the lease, if the

participant still chooses to lease the unit. The lease is effective the date it is signed by both the landlord/owner and the participant. If the voucher expired and the unit does not meet HQS within the allotted 30 days, the participant will be canceled from the program.

2) COMPLAINT INSPECTIONS

A participant or a landlord/owner may request a complaint inspection after attempts by the landlord/owner and participant to resolve the situation have proven to be unsuccessful. If the unit fails to meet HQS, the landlord/owner will have 30 days to correct the deficiencies. If the failed items are of an emergency nature, the landlord/owner must repair the items within 24 hours. An emergency item includes: no heat in winter, no potable water, no flushing toilet, no hot water, no refrigerator, no water, no gas or electric service, gas or electricity problems, or any other item that DHA determines is an emergency threatening life, safety, or property. If the unit does not meet HQS within the allotted 30 days or 24 hours without a DHA approved extension, the landlord's/owner's HAP Contract will be canceled. The participant will be advised that they must move from the unit if they wish to continue their housing assistance, or that if they elect to remain in the failed unit, they will be canceled from the Section 8 program. Rent to the landlord/owner may be abated for the period that the unit does not meet HQS. Abatement may be retroactive to the date the unit initially failed HQS inspection.

3) ANNUAL INSPECTIONS

Annual inspections will occur for each participant unit. The landlord/owner and/or participant, or an adult age 18 or over, must be present at the inspection so that the inspector may gain access to the unit. If the participant does not attend the inspection and does not make arrangements for the inspector to gain access to the unit, the participant will be canceled from the program. Inspection appointments are set by the Inspection Department. Appointments will only be changed or re-scheduled if the participant has an emergency situation, i.e. hospitalization, out of town, etc. This emergency situation must be documented. If the unit fails to meet HQS, the landlord/owner will have 30 days to correct the deficiencies. If the failed items are of an emergency nature, the landlord/owner must repair the items within 24 hours. An emergency item includes: no heat in winter, no potable water, no flushing toilet, no hot water, no refrigerator, gas or electricity problems, or any other item that DHA determines is an emergency threatening life, safety, or property. If the unit does not meet HQS within the allotted 30 days or 24 hours, the landlord's/owner's HAP Contract will be canceled. The participant will be advised that they must move from the unit if they wish to continue their housing assistance, or that if they elect to remain in the failed unit, they will be canceled from the Section 8 program. Rent to the owner may be abated for the period that the unit does not meet HQS. Abatement may be retroactive to the date the unit initially failed HQS inspection

(a) Appliances

The dwelling unit must have an oven, a stove or range, and a refrigerator of appropriate size for the family. All of the equipment must be in proper operating condition. The equipment may be supplied by either by the landlord/owner or the family. A microwave oven may be substituted for a participant-supplied oven and stove or range. A microwave oven may be substituted for a landlord/owner-supplied oven and stove or range if the participant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized participants in the building or premises.

(b) Lead Based Paint

DHA will follow HUD regulations and requirements regarding lead-based paint.

(c) Participant Caused HQS Failure

- I. DHA will not determine if the Participant has caused damages to the unit. If a landlord/owner claims the Participant caused/is causing damage, the landlord/owner may:
 - (i) Evict the Participant for lease violations.
 - (ii) Contact DHA for an HQS inspection, if the damage has resulted or may result in HQS failure.
- II. If an HQS breach caused by the family is life threatening, the family must correct the deficiency within 24 hours. For other family-caused deficiencies, the family must correct the deficiency within 30 calendar days.
- III. If the family has caused a breach of the HQS, DHA will take prompt and vigorous action to enforce the family obligations. DHA may terminate assistance for the family in accordance with HUD regulations.

(d) Extensions

Repair timeframe extensions may be requested by the landlord/owner. Requests must be in writing and must demonstrate need for extension, i.e., weather delays, construction delays, etc. Extensions will not be given for failures that are a threat to health and safety.

Participants may only request extensions if the extension request is approved in writing by the landlord/owner.

6.6 Program Fraud and Abuse

The Section 8 Department is committed to assure that the proper level of benefits is paid on behalf of all program participants, and that housing resources reach only eligible families so that program integrity can be maintained.

(a) Criteria for Investigation of Suspected Fraud and Abuse

Fraud and abuse means a single act or pattern of actions:

- 1) That constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead; and
- 2) That results in payment of Section 8 program funds in violation of Section 8 program requirements.

Under no circumstances will the Section 8 Department undertake an inquiry or investigation of an assisted family arbitrarily. The Section 8 Department's expectation is that assisted families will comply with HUD requirements and program rules, and the Section 8 Department staff will make every effort (formally and informally) to orient and educate all assisted families in order to avoid unintentional violations. However, the Section 8 Department has a responsibility to HUD, to the community and to eligible families in need of housing assistance, to monitor program participants for compliance and, when indicators of possible abuse come to the Department's attention, to investigate such claims.

The Department will investigate a program participant in the event of one or more of the following circumstances:

- 1) Referrals, Complaints, or Tips: The Section 8 Department will follow up on referrals from other agencies, companies or persons which are received by mail, telephone, or in person, which allege that an assisted family is in non-compliance with, or otherwise violating program rules.
 - 2) Internal File Review: A follow up will be made if the Section 8 Department discovers (as a function of a re-certification, an interim re-examination, a quality control review, or any other internal review), information or facts which conflict with previous file data, the Department's knowledge of the family, or is in any way in conflict with statements made by the family.
 - 3) Verification or Documentation: A follow up will be made if the Section 8 Department receives independent verification or documentation which conflicts with representations in the participant file (such as public record information or credit bureau reports).
- (b) Steps Taken to Prevent Program Fraud and Abuse
 The management and eligibility staff will utilize various methods and practices to prevent program abuse, non-compliance and willful violations of program rules by applicants, assisted families, and landlords. The policy objective is to establish confidence and trust in the program by emphasizing education as the primary means to obtain compliance by program participants.
- 1) Things You Should Know: The program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all clients at the time of orientation to promote understanding of program

rules, and to clarify the Section 8 Department's expectations for cooperation and compliance.

- 2) Program Orientation Session: Mandatory orientation sessions will be conducted by the Section 8 Department staff for all applicants upon issuance of a voucher. At the conclusion of all Program Orientation Sessions, the family representative will be required to sign and date the "Orientation Certificate" to confirm that all rules and pertinent regulations were explained to them.
- 3) Owner/Landlord Orientation Session: Orientation sessions will be conducted with new, existing, and potential Section 8 landlords/owners annually to assure an understanding of landlord/owner, family, and Section 8 Department obligations, and to prevent improper or illegal practices by landlords/owners.
- 4) Participant Information: Section 8 Department staff will routinely offer participant information as part of every re-examination in order to clarify any confusion pertaining to program rules and requirements.
- 5) Review and Explanation of Certification and Other Supplemental Forms: Staff will explain all required forms and review the contents of all documents prior to signature.
- 6) 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.
- 7) Landlord/Owner and Client Certification: All family representatives will be required to sign a "Client Certification" form, and all landlords/owners will be required to sign a "Landlord Certification" form, as contained in HUD's Tenant Integrity Program Manual.

(c) Steps to Detect Program Fraud and Abuse

The Section 8 Department will maintain a high level of awareness to indicators of possible fraud and abuse by assisted families and landlords/owners.

- 1) Quality Control File Reviews: Prior to initial certification, and at the completion of all subsequent re-certifications, tenant file may be reviewed based on complaints received and/or errors reported via HUD reports. Such reviews shall include, but are not limited to:
 - (i) Changes in reported social security numbers or date of birth.
 - (ii) Document authenticity.
 - (iii) Review of signatures.

- 2) Observation: Section 8 staff will maintain a high awareness of circumstances which may indicate program fraud or abuse; such as when a family's lifestyle exceeds its reported income or resources drastically.
 - (i) Public Record Bulletins may be reviewed by Section 8 Staff.

- 3) Landlord/Owner Audits: The Section 8 Department may conduct periodic random quality control audits of Section 8 landlords/owners to assure compliance with HAP contracts. Such audits may include, but are not limited to:
 - (i) Proof of ownership of assisted unit.
 - (ii) Rent collection receipts and records.
 - (iii) Maintenance/repair records.
 - (iv) An inspection of the unit.

- 4) Data Record Keepers: Inquiries to the Colorado Department of Labor and Employment, or other appropriate Federal, State, or local agencies, as permitted by law, may be made in order to detect unreported wages or unemployment compensation benefits.

- 5) Credit Bureau Inquires: Credit bureau inquiries may be made (with proper authorization by the client) in the following circumstances:
 - (i) When an allegation is received by the Section 8 Department wherein unreported income sources are disclosed.
 - (ii) When a client's expenditures drastically exceed his/her reported income, and no plausible explanation is given.

- (d) Handling of Allegations of Possible Fraud and Abuse
 The Section 8 Department will encourage program clients and landlords/owners to report suspected abuse to the Section 8 Department. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the client file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up. The Section 8 Department will not follow up on allegations which are vague or otherwise non-specific. When the Section 8 Department receives a complaint it will take the following action to determine if a follow-up is warranted.
 - 1) File Review: A file review will be conducted to determine:
 - (i) If the subject of the allegation is a program participant.
 - (ii) If the allegation contains information not previously known to the Section 8 Department.
 - (iii) If the Section 8 Department is the most appropriate authority to do a follow up (more so than police or social services).

- (iv) Does the participant's past behavior lend credibility to the allegation?
 - (v) Are there any other corroborating complaints?
- 2) Conclusion of the 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 facts are independently verifiable, the Section 8 Department may undertake an investigation to determine if the allegation is true or false.
- (e) Investigation of Allegations of Abuse and Fraud
 When the Section 8 Department has determined that an allegation or referral warrants follow-up, the Department 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 Section 8 Department will secure the written authorization from the program participant for the release of information.
- 1) Credit Bureau Inquiries: In cases involving previously unreported income sources, an inquiry may be made to determine if there is financial activity which conflicts with the reported income of the family.
 - (i) 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.
 - 2) Employers and Ex-Employers: Employers or ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.
 - 3) Neighbors/Witnesses: Neighbors and/or witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the Section 8 Department's review.
 - 4) Other Agencies: Law enforcement agencies, investigators, caseworkers, or representatives of other agencies may be contacted.
 - 5) Public Records: If relevant, the Section 8 Department may review public records. 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, postal records and address and phone records.
 - 6) Head of Household or Family Member(s): The Section 8 Department may discuss the allegation (or details thereof) with the Head of

Household or family member, by scheduling an appointment at the Section 8 Department.

- (f) Placement of Documents, Evidence, and Statements Obtained
Documents and other evidence obtained during an investigation will be kept in the participant file. Cases under review will not be discussed among Section 8 staff not involved in the process, or with individuals outside the Section 8 Department not involved in the process.

- (g) Conclusion of Investigative Review
At the conclusion of the investigative review, the reviewer will report the findings to the Chief Operating Officer-Section 8/Client Services, or his/her designee. It will then be determined whether a violation has occurred, or if the facts are inconclusive.

- 1) Evaluation of Findings: The findings will be evaluated to determine the following:
- (i) The type of violation. (Procedural, non-compliance, fraud).
 - (ii) Whether the violation was intentional or unintentional.
 - (iii) What amount of money (if any) is owed to DHA.
 - (iv) If the family is eligible for continued participation.

- (h) Action Procedures for Documented Violations
Once a program violation has been documented, the violation type will determine the procedure taken by the Section 8 Department. Violations will be classified in the following way.

- 1) Procedural Non-Compliance: This category applies when the participant fails to observe a procedure or requirement of the program, but does not misrepresent a material fact, and there is not overpayment of housing assistance. Examples of procedural non-compliance issues are:
- (i) Failure to appear at scheduled appointment.
 - (ii) Failure to return requested documents in specified timeframe.

Notice To Family: In such cases, a notice will be sent to the family containing the following:

- (i) A description of the non-compliance, and the procedure, policy, or obligation which was violated.
 - (ii) A Notice of Cancellation from the program.
 - (iii) The right to request an informal hearing.
- 2) Procedural Non-Compliance - Overpaid Housing Assistance: When the participant owes money to DHA for failure to report changes in

income or assets, the Section 8 Department will issue a notice to the participant. The notice will contain the following:

- (i) A description of the violation and dates.
- (ii) The amount owed to DHA.
- (iii) The right to an informal hearing.
- (iv) A Notice of Cancellation from the program.

If the participant fails to comply with the notice, and a family obligation has been violated, the Section 8 Department will terminate assistance in the manner prescribed by HUD. The amount owed DHA by the participant will be referred to a collection agency.

When a participant complies with the notice, the responsible staff person will document the client file with the repayment dates, etc. If applicable, the participant will enter into a repayment agreement with DHA. DHA reserves the right to cancel the participant for fraud, even if a repayment agreement is entered into.

- 3) Intentional Misrepresentations: When a participant falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an overpayment of housing assistance, the Section 8 Department will establish:

- (i) That the participant had knowledge that his/her actions were wrong, and
- (ii) That the participant willfully violated the law.

The participant had knowledge that his/her actions were wrong: This can be demonstrated by showing that the participant was made aware of program requirements and prohibitions. The participant's signature on various certifications (briefing certificate, re-examination application form, re-determination application form, etc.) are adequate to establish knowledge of program requirements and prohibitions.

The participant willfully violated the law: Any of the following circumstances is adequate to demonstrate willful intent:

- (i) An admission by the client of the misrepresentation.
- (ii) The act was done repeatedly.
- (iii) If a false name or social security number was used.
- (iv) If there were admissions to others of the illegal action or omission.
- (v) The participant committed material facts which were known to them (e.g. employment of self or other household member).
- (vi) The participant falsified, forged, or altered documents.

(i) Determination of Action

Prior to the final determination of the action to be taken, the Section 8 Department will consider:

- 1) The duration of the violation and the number of false statements.
- 2) The participant's ability to understand the rules.
- 3) The participant's willingness to cooperate, and to accept responsibility for his/her actions.
- 4) The amount of money involved.
- 5) The participant's past history.
- 6) Whether or not criminal intent has been established.

(j) Disposition of Cases

In all cases involving efforts to recover monies owed, the Section 8 Department may elect, depending upon its evaluation of the criteria stated above, one or more of the following actions:

- 1) Criminal Prosecution: If the Section 8 Department has established criminal intent, and the case meets the criteria for prosecution, the Section 8 Department may:
 - (i) Refer the case to the local or State district attorney, notify HUD's OIG and terminate rental assistance.
 - (ii) Refer the case to HUD's OIG and terminate rental assistance.
- 2) Administrative Remedies: The Section 8 Department may elect to:
 - (i) Terminate assistance and demand payment of restitution in full.
 - (ii) Terminate assistance and execute a repayment agreement in accordance with the Section 8 Department's Collection Procedures.
 - (iii) Terminate assistance and pursue restitution through civil litigation, and/or refer the case to a collection agency.
 - (iv) Continue assistance at the correct rent and demand repayment of restitution in full.
 - (v) Continue assistance at the correct rent and execute a repayment agreement in accordance with the Section 8 Department's Collection Procedures.

(k) Notification to Participant

The Section 8 Department will notify the participant of the action. Such notice will contain:

- 1) The action being taken.
- 2) The reason for the action.
- 3) The date the action will take place.
- 4) The participant's right to an informal hearing, and date by which the request for such hearing must be received.

6.7 Collection Procedures

1) Participant Repayment Agreements

DHA utilizes administrative repayment agreements for unreported income and damage claims. If the participant fails to follow the terms of the repayment agreement for a damage claim, unreported income or fraud, the participant may be canceled from the program and/or referred to a collection agency.

The Housing Technician may execute repayment agreements with participants; all repayment agreements will be approved by the Program Manager. The Head of Household and spouse (if applicable) are required to sign the repayment agreement.

If the participant refuses to enter into a repayment agreement for a damage claim, DHA will refuse to enter into a new lease with the participant, thereby canceling them from the Section 8 program at the time they wish to move.

Any participants who are requesting a move and submitting a RFTA will first be investigated for damage claim and unreported income repayment status. If a repayment agreement was entered into and is not up to date, the participant must bring the repayment agreement up to date before the RFTA will be accepted by DHA. If the repayment agreement is not brought up to date, the RFTA will not be approved, and the participant may also be canceled for failure to abide by the repayment agreement. If the participant is current on the repayment agreement, DHA will issue a new voucher to the family, allowing them to move.

If a participant who owes DHA money has not entered into a repayment agreement, and wishes to move, DHA will not accept a RFTA and will not re-issue their voucher unless they pay the amount due in full, or enter into a repayment agreement with 30 percent of the amount due paid as a down payment. Based on the individual case of each participant, DHA has the option to take either action listed above.

If a participant's account has been turned over to a collection agency for collection, due to default on a repayment agreement, the participant will not be re-issued a voucher to move until the balance is paid in full.

DHA reserves the right not to enter in to a repayment agreement at any time, based on willful neglect or abuse by the participant, resulting in a damage claim. In this case, DHA will refer the account to collection and will cancel the participant from the program.

If the participant commits fraud and has a damage claim, procedures regarding participant fraud take precedence over procedures for damage claims.

DHA reserves the right not to enter into a repayment agreement at any time for unreported income or willful fraud and may instead cancel the participant from the program. DHA may exercise this right under the following circumstances, including, but not limited to: intentional fraud, excessive amounts of unreported income, and failure of the participant to cooperate with fraud investigation. Under these and similar circumstances, DHA may also demand payment in full, along with canceling the participant from the program, and turning the account over to a collection agency.

DHA reserves the right to charge the market interest rate on all repayment agreements. A down payment of 30 percent of the total repayment agreement may be required from participants entering into repayment agreements.

Repayment agreements will have a monthly payment schedule, based on the financial capabilities of the family and the amount owed.

A family may request an extension of the monthly due date, provided the extension request is in writing and is received prior to the due date of the monthly payment. Extensions must include verification supporting the reason for the extension. Verification may include: doctor's statements or court documents. Extensions must be approved by the Program Manager.

DHA reserves the right to turn repayment agreements over to an independent collection agency.

If a participant brings their repayment agreement up to date before the effective date of their cancellation for default on a repayment agreement, the participant may be reinstated to the program. Decisions to reinstate participants for this reason will be made by the Program Manager. Participants who make such payments before their effective cancellation date will only be allowed to do so twice within a twelve-month period. If this situation occurs a third time, the participant will be canceled from the program, and their account turned over to a collection agency.

2) Landlords/Owners

If it is determined that a landlord/owner owes DHA for overpayment of HAP, the landlord/owner will be notified in writing of the overpayment amount. If the landlord/owner does not repay the amount due, the HAP Contract may be canceled and the landlord/owner may be banned from the program. DHA reserves the right to turn landlord/owner debts over to a collection agency. If

the landlord/owner has other active HAP Contracts, amounts owed will be collected from amounts due under those contracts.

3) Fraud Collections

Families owing amounts to DHA, other PHAs, or to HUD directly or indirectly as a consequence of fraud to a federal housing program are not eligible to receive Section 8 assistance. Applicants will be advised of the amount owed in writing and given an opportunity to repay the amount in order to be placed in the lottery pool. If it is discovered that a participant owes amounts to DHA, other PHAs, or to HUD directly or indirectly as a consequence of fraud to a Federal housing program, they will be advised of the amount, will be given the opportunity to repay the amount, and may be canceled from the program.

SECTION 7
SECTION 8 INFORMAL REVIEW AND HEARINGS
PROVISIONS

SECTION 8 INFORMAL REVIEW AND HEARINGS POLICY

7.1 Application Stage

- (a) DHA will send prompt written notice to an applicant for Section 8 programs (Housing Choice Voucher, Mod Rehab and PBA) notifying him/her that he/she has been denied housing and the reason(s) supporting the determination of ineligibility. The notice will also advise the applicant of his/her right to an informal review and how to obtain the informal review.
- (b) Whenever a written notice of denial of the application is given to an applicant that notice will state all grounds upon which DHA will rely for the denial. If the notice of denial is based on an alleged outstanding debt to DHA, the notice will state the address and the total amount claimed as due.
- (c) The applicant must request the informal review, in writing, to DHA and must do so within ten (10) business days of the date the application was denied. DHA will then schedule an informal review no later than sixty (60) days from the date DHA received the applicant's written request. If the applicant does not submit a request in accordance with this paragraph, then DHA's disposition of the matter shall become final.
- (d) Upon the written request of the applicant or DHA, the informal review may be postponed and rescheduled to the next available regularly scheduled date. This request for postponement must be submitted at least twenty-four (24) hours prior to the scheduled hearing. An informal review may be postponed once. If the applicant fails to appear at the second scheduled review, DHA's disposition of the grievance will become final.
- (e) The review will be conducted by a member of DHA staff, hereafter referred to as the "Review Officer", who did not make the initial decision to cancel or deny the application, and who is not a subordinate of that person. During the review, DHA's and the applicant's witnesses and potential witnesses in the matter may be present, and those persons shall be permitted to observe the entire review. The applicant will be afforded a fair review and provided the basic safeguards of due process, which shall include:
 - 1) The opportunity to examine before the review any DHA documents, including records and regulations that are directly relevant to the review. The applicant shall be provided copies of any such document at a rate of \$0.75 per page or the actual cost whichever is greater. However, the documents shall not be removed from DHA's premises. Any document not made available, after the request of the applicant has been received, will not be relied on by DHA at the review.
 - 2) The right to be represented by counsel or other person selected as a representative.

- 3) The right to a private review unless the applicant requests a public hearing.
 - 4) The right to present evidence and arguments to controvert evidence relied on by DHA and to cross-examine all witnesses on whose testimony or information DHA relies.
 - 5) A decision based solely and exclusively upon the facts presented at the review.
 - 6) The Review Officer will consider only those issues presented in the original notice, and will not consider new issues or evidence of which the applicant had no notice.
 - 7) No recording of the informal hearing proceeding is allowed unless requested twenty –four (24) hours in advance of the scheduled informal hearing. DHA has the right to record the informal hearing.
- (f) The Review Officer will give a final written decision to the canceled or denied applicant. The decision will be mailed to the applicant at the address the applicant has on file with DHA within ten (10) working days after completion of the review.
 - (g) If the applicant or DHA fails to appear at the scheduled review, the Review Officer may determine that the party has waived his/her right to a review and make a determination adverse to the absent party. Both DHA and the applicant shall be notified in writing of the determination by the Review Officer.
 - (h) The review will be conducted informally by the Review Officer. The Review Officer shall require DHA, the applicant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Review Officer to maintain order may result in expulsion from the proceedings or in a decision adverse to the interests of the disorderly party, and granting or denial of the relief sought, as appropriate.
 - (i) A Review Officer may re-open a canceled application for the Section 8 Programs if the applicant provides the necessary requested information or resolves any dispute concerning an alleged debt owed to DHA or any other agency, at the time of the review or at a time specified by the Review Officer.

DHA will not provide the applicant an opportunity for an informal review for reasons so stated in the HUD regulations [24 C.F.R. 982.554(c)].

DHA will follow HUD regulations regarding informal reviews for the denial of assistance based on ineligible immigration status.

DHA will provide applicants with an opportunity for an informal review for denial of a request for reasonable accommodation, as described in the denial letter sent to the applicant in response to a Request for Reasonable Accommodation. The participant must follow all requirements outlined in the denial letter.

7.2 Section 8 Participants

DHA will provide families in the Section 8 Program an opportunity for an Informal Hearing to consider decisions with respect to the families individual circumstance, in the following situations:

- (a) Determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
- (b) Determination of the appropriate utility allowance (if any) for tenant-paid utilities from DHA's utility allowance schedule.
- (c) Determination of the family unit size under the PHA subsidy standards.
- (d) Determination that a program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the PHA subsidy standards, or DHA's determination to deny the family request for an exception from the standards.
- (e) Determination to terminate assistance for a participant family because of the family's action or failure to act.
- (f) Determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under DHA policy and HUD rules.

DHA is not required to provide an opportunity for an Informal Hearing for the following decisions:

- (a) Discretionary administrative determinations, general policy issues, or class grievances.
- (b) Determination that an assisted housing unit does not meet program HQS, has not been maintained by the owner to those same standards, in order to meet decent, safe, and sanitary guideline interpretations. This provision includes consideration for changes in family composition.
- (c) Determination that a family has missed 2 HQS annual inspections.
- (d) A determination to exercise or not to exercise any right or remedy against the landlord/owner under the provisions of the HAP contract including the termination of the HAP.
- (e) Determination not to extend or suspend the term of the voucher.

- (f) Establishment of DHA schedule of utility allowances for families in the program.
- (g) Determination not to approve a unit or lease.
- (i) Determination that the unit is not in accordance with HQS because of family size.

DHA will send written notice to participants notifying them of the termination of assistance and that they have been canceled from the program and the reason(s) why. The notice will also advise the participant of their right to an informal hearing.

The participant must request the informal hearing in writing to DHA and must do so within ten (10) business days of the date of the cancellation notice. Hearing requests submitted after the ten day timeframe will be considered if the participant documents that an emergency situation delayed their request, i.e. hospitalization, etc. Extensions to the ten day time limit will be made by the Program Manager.

DHA will then schedule an informal hearing in a reasonable amount of time from the date of the request by the participant. If the participant does not request a hearing in accordance with this Administrative Plan, then DHA's disposition of the cancellation may become final.

Upon the written request of the participant or DHA, the hearing may be postponed and re-scheduled to the next available regularly scheduled hearing date. A hearing may be postponed once. If the participant fails to appear at the second scheduled hearing, DHA's disposition of the cancellation will become final.

The hearing will be conducted by a person designated by DHA (Hearing Officer) who did not make the initial decision to cancel the participant and is not a subordinate of that person. During the hearing, DHA and the participant may have present all witnesses and potential witnesses in the matter, and those persons may be permitted to observe the entire hearing. The participant will be afforded a fair hearing and provided the basic safeguards of due process, which shall include:

- (a) The opportunity to examine before the hearing, and at the expense of the participant, a copy all documents, records and regulations of DHA, which are relevant to the hearing. Any document not so made available after the request of the participant will not be relied on by DHA at the hearing.
- (b) The right to be represented by counsel or other person selected as a representative.
- (c) The right to a private hearing unless the participant requests a public hearing.
- (d) DHA and the family have the right to present evidence and arguments in support of their positions; to controvert evidence relied on by the other party;

and to cross-examine all witnesses on whose testimony or information they rely.

- (f) A decision based solely and exclusively upon the facts presented at the hearing.
- (g) Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- (h) The participant must give DHA the opportunity to examine, at DHA's offices, before the hearing, any participant documents that are directly related to the hearing. DHA must be allowed to copy any such documents. If the participant does not make the document available to DHA upon request, the participant may not rely on that document in the hearing.
- (i) The Hearing Officer will consider only those issues presented in the original notice, and will not consider new issues or evidence of which the participant had no notice.
- (j) The Hearing Officer will, within ten working days, give a final written decision to the participant and DHA stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing. The decision will be mailed to the participant at the address the participant has on file with DHA.

The Hearing Officer may render a decision without preceding with the hearing, if the Hearing Officer determines that the issue has been previously decided in a similar proceeding.

If the participant or DHA fails to appear at the scheduled hearing, the Hearing Officer may make a determination that the party has waived its right to a hearing and may make a determination adverse to the absent party. Both DHA and the participant shall be notified in writing of the determination by the Hearing Officer.

The hearing will be conducted informally by the Hearing Officer. The Hearing Officer shall require DHA, the participant, counsel, and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer to maintain order may result in exclusion from the proceedings or in a decision adverse to the interest of the disorderly party and granting or denial of the relief sought, as appropriate.

7.3 Denial of Reasonable Accommodation

If a participant is denied a request for accommodation in accordance with the Reasonable Accommodation in Housing Guidelines, the participant may request a grievance hearing in compliance with DHA's Section 8 Reasonable Accommodation Grievance Procedure.

7.4 Conducting Informal Hearings

Informal hearings will be conducted by the designated review official for the particular affected function. The hearing may be held at either the request of the participant/applicant or at the insistence of DHA. The participant may be represented by an attorney acting on their behalf. The attorney will not be compensated by DHA in any event.

The hearing may be conducted in any format which the designated review official deems necessary and prudent depending on the circumstance. This format may specifically excuse individuals other than the participant/applicant, his or her attorney, and the landlords/owners representative. DHA staff members will be admitted for testimony purposes, as may be appropriate. In all instances, the meeting will be conducted on a fact finding basis with both sides presenting their case, as may be appropriate.

7.5 Designated Review Official

The designated review official for participant matters will be the Chief Operating Officer of Section 8/Participant Services, or his/her designee. The designated review official for applicant matters will be the Eligibility Program Manager or his/her designee.

7.6 Applicability of Hearing Decision

DHA is not bound by an informal review or a hearing decision concerning:

- (a) A matter for which DHA is not required to provide an opportunity for an informal review/hearing.
- (b) A matter which exceeds the authority of the person conducting the review/hearing under DHA's hearing procedures.
- (c) A determination which is contrary to HUD regulations and requirements, State, Federal or local law.

If DHA should determine it is not bound by such a review/hearing decision, it will promptly notify the family of the decision in writing and of the reasons for the determination. In these cases, DHA may allow the family the opportunity to request another review/hearing.

SECTION 8
SECTION 8 FAIR HOUSING PROVISIONS

SECTION 8 FAIR HOUSING POLICIES

DHA will carry out and administer the HUD requirements for the Housing Choice Voucher Program, Mod Rehab Program and PBA Program in the following manner:

- 1) Provide notice of the availability and nature of housing assistance for low-income families under program requirements, adopt suitable means to assure that the notice reaches eligible individuals with disabilities;
- 2) Encourage participation by landlords/owners, including encouragement of participation by landlords/owners having accessible units;
- 3) When issuing a voucher to a family which includes an individual with disabilities, will include a current listing of available accessible units known to DHA and, if necessary, will otherwise assist the family in locating an available accessible dwelling unit;
- 4) Consider the problem of locating an accessible unit when reviewing requests by eligible individuals with disabilities for extensions and reissuances of certificates or vouchers.

This information, as well as information regarding the 504 Coordinator, is provided in the Section 8 Orientation Packet, Moving Packet, Re-Examination Packet and Re-Determination Packet.

DHA will not discriminate at any stage of the admissions and occupancy process because of race, color, national origin, religion, sex, age, familial status, disability, or political affiliation. DHA is bound by the non-discrimination requirements of Federal, State, and local law. DHA will abide by the non-discrimination requirements of:

- 1) Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color or national origin in programs receiving Federal financial assistance.
- 2) Title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination based on race, color, religion, national origin, sex, familial status, or disability in the sale, rental or advertising of housing.
- 3) Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability in programs receiving Federal financial assistance.
- 4) The Age Discrimination Act of 1975, which prohibits discrimination based on age in programs receiving Federal financial assistance.
- 5) Executive Order 11063, which required the Department of Housing and Urban Development to take whatever actions necessary to prohibit discrimination based on race, color, national origin, religion or sex in housing receiving Federal financial assistance.

6) Title II of the Americans with Disabilities Act.

No preference will be shown any applicant because of political affiliation or acquaintance with any public official at the Federal, State, or local level.

DHA will assist families claiming illegal discrimination from a landlord that prevents them from leasing a suitable housing unit by giving the family information on how to fill out and file a housing discrimination complaint.

SECTION 9
EQUAL OPPORTUNITY HOUSING PLAN PROVISIONS

EQUAL OPPORTUNITY HOUSING PLAN

Due to widespread knowledge and acceptance of the Section 8 program and the evident marketing success demonstrated by the current lottery pool, future advertising will be accomplished through those newspapers of widespread general circulation, and minority focused media such as La Voz, the Denver Weekly News, and the El Semenario. DHA may also undertake additional marketing activities in order to market site specific or special purpose housing, as identified in this Administrative Plan.

To ensure that the availability of housing is communicated to individuals with disabilities, DHA will contact agencies and organizations that serve individuals with disabilities, such as: Denver Association of Retarded Citizens, Denver Center for Independent Living, the Denver Commission on the Disabled, and other appropriate organizations.

Public notices to families and landlords/owners will be accomplished in accordance with HUD regulations.

9.1 Outreach to Landlords/Owners

Outreach to landlords/owners in the Housing Choice Voucher Program is accomplished by the individual family seeking a rental unit pursuant to the Finders Keepers Provision of the Regulations.

DHA encourages participation by landlords/owners or having suitable accessible units located outside of low-income and minority concentrated areas.

Section 8 does advertise in the local newspapers soliciting landlords/owners who have units, including accessible units, to determine if the landlords/owners are interested in having Section 8 clients referred to their units. The advertisement states that the units must meet HQS. If the landlord/owner requests, the unit will be listed in the Unit Listing at the Section 8 Office, which is available to all Section 8 clients and included in the Orientation Packet. Accessible units will be noted as accessible, indicating the specific accommodations of the particular unit.

DHA will educate and inform landlords/owners of the benefits of participation in the Section 8 program, including the benefits of providing accessible housing. This will be accomplished through technical assistance and training offered by DHA throughout the year. Staff will also be available to provide this type of information to landlords/owners during workshops and seminars conducted by the real estate industry including membership in the National Association of Residential Property Management (NARPM).

9.2 Outreach to Families

Clients for all elements of the program will be taken from the Section 8 lottery pool. The lottery pool is representative of all ethnic groups in the Denver area.

The Section 8 staff, with the assistance of the 504 Coordinator, will keep and maintain current resource lists on available accessible housing. These lists may include the names of

realtors, organizations which will provide assistance for modifications, names of developers and other types of businesses, which provide services and assistance needed by individuals with disabilities. Examples of these types of organizations include: the Metro Denver Board of Realtors, the Housing Information Referral Service, and the Colorado Housing and Finance Authority (CHFA). This information will be available to applicants in varied forms.

Outreach for the SRO Program includes emergency and transitional shelters, mental health clinics, and drug and alcohol programs.

9.3 Affirmative Marketing

No groups of individuals are identified as less likely to apply for Section 8 housing assistance. However, if future program marketing efforts are appropriate, DHA may temporarily revise its marketing efforts in order to produce desired results. Special mail-in procedures for elderly or severely disabled respondents may be employed. The procedural process may be modified to provide a reasonable accommodation for individuals with disabilities upon request. Requests for accommodation must comply with the Reasonable Accommodations in Housing Guidelines (“RAHG”). Each request will be handled on a case-by-case basis.

9.4 Nondiscrimination

If a family believes that illegal discrimination because of race, color, religion, sex, national origin, age, familial status or disability prevents the family from finding or leasing a suitable unit with assistance under the program, or that selection from the Section 8 lottery pool or the family’s original eligibility for participation in the program was adversely affected by discrimination, they will be interviewed by staff and have program requirements explained to them. If this action does not resolve the problem, the applicant will be advised to place their complaint in writing, an investigation of the complaint will occur, and a written response will be prepared by the Chief Operating Officer-Section 8/Client Services or his/her designee. Any complaints regarding discrimination based on an individual’s disability will be forwarded to the DHA 504 Coordinator. The family will also be referred to the HUD Office of Fair Housing. Federal law prohibits owners of Low-Income Housing Tax Credits and HOME developments from refusing to lease to a family solely based on participation in the Section 8 program.

SECTION 10
HOUSING CHOICE VOUCHER HOMEOWNERSHIP
PROGRAM

HOUSING CHOICE VOUCHER HOME OWNERSHIP PROGRAM

On a yearly basis, the Denver Housing Authority (DHA) will permit 19 eligible participants of the Section 8 Housing Choice Voucher Program with the option of purchasing a home with their Section 8 assistance. Five of these residents will come from the Section 8 Program and 14 of these residents will be transferred from public housing to Section 8 through the ROSS Housing and Supportive Services Grant.

DHA has the capacity to offer a Housing Choice Voucher Home Ownership Program. DHA has run a successful HomeOwnership Program since 1995. Over one hundred and fifteen DHA residents have purchased homes through this program. In addition, DHA has assisted 50 residents of the general public to purchase a home through DHA's HOPE VI and City of Denver Home Ownership Counseling Programs.

DHA's HomeOwnership Program provides home ownership education and counseling, pre and post purchase counseling, and financial fitness case management including credit repair, debt reduction, and money management. As a component of the HomeOwnership Program, DHA reviews real estate and lender documentation for clients. The Ford Foundation and the MacArthur Foundation are financially supporting a six year study conducted by Wayne State University to determine why this program has been so effective.

DHA's HomeOwnership Program works with CHFA (Colorado Housing and Finance Authority), Fannie Mae, and FHA lenders, in addition to most of Denver's community-based home ownership agencies including, but not limited to, CHAC (Colorado Housing Assistance Corporation), Hope Communities, Northeast Denver Housing Center, Del Norte, Mercy Housing, Southwest Improvement Center, and NEWSED.

All mortgage loans received by clients who purchase homes through DHA's HomeOwnership Program are reviewed by DHA's staff to ensure that these loans are safe and affordable and are guaranteed by private insurers, guaranteed by the State, and/or guaranteed by the federal government. All mortgage loans received through DHA's HomeOwnership Program must comply with secondary mortgage market underwriting requirements and/or comply with generally accepted private sector underwriting standards.

10.1 Program Process

Nineteen Denver Housing Authority Section 8 vouchers will be available to be used for home ownership. Five of these vouchers will be available to eligible Section 8 voucher holders who are permanently disabled, who have held their vouchers with DHA for at least one year, and have had a reexam. Fourteen of these vouchers will be available to eligible disabled public housing residents who will be transferred from public housing to Section 8 through the ROSS Homeownership Supportive Services Grant.

(a) Advertising the Program

All Section 8 residents of the Denver Housing Authority will receive a letter and a brochure in the mail explaining DHA's Housing Choice Voucher Home Ownership Program. They will also receive an interest form and a return envelope in this mailing and will be instructed in their letter to fill out this

interest form if they are interested in joining DHA's Housing Choice Voucher Home Ownership Program. The letter will provide a phone number that residents can call for more information.

(b) Joining the Program

Residents who would like to join the Housing Choice Voucher Home Ownership Program would have to send in an interest form. All interest forms will be date stamped upon receipt and entered onto a waiting list for orientation. Orientations will be held once a month. Because this is a special needs population, no more than 15 residents a month will be invited to each orientation. At the beginning of the program, residents who have already been enrolled in DHA's Homeownership Program and have been enrolled in the Homebuyer's Club and attending these classes will be on a priority list to attend orientation.

(c) Orientation

At orientation, residents will learn about the process of the DHA's Housing Choice Voucher Home Ownership Program and will fill out an application for this program. In addition to completing an application residents will fill out the following forms:

- 1) The Family Eligibility Form and
- 2) The Participant Obligation Form.

At orientation, residents will be informed that their next step will be to meet with their case manager for an assessment and to bring required forms to this meeting.

(d) Assessments and One on One Case Management

Participants will meet with HomeOwnership staff after orientation to receive a home ownership and money management assessment to determine whether they will begin The Housing Choice Voucher Home Ownership Program in The Primary Level, working on financial enhancement issues, or in the more advanced level, in the "Homebuyer's Club."

Clients will have to return all of the following documentation by mail after orientation in order to complete the intake process for the Housing Choice Voucher Home Ownership Program. If any documentation is missing, the homeownership staff will return the documents with a form listing what documentation is missing so that the client has the opportunity to complete the packet. Following is a list of all required documentation:

- 1) Income verification including:
 - (i) Current pay-stubs if applicable (last 2 pay stubs),
 - (ii) Verification of other sources of income (if applicable),
 - (iii) Current disability award letters or income determination letters.

- 2) Other Verifications:
 - (i) Last two bank statements,
 - (ii) Proof of permanent disability(ies) of head of household or spouse of head of household.

- 3) Signed program participation forms including:
 - (i) Signed DHA Statement of Homeowner Obligation form,
 - (ii) The Family Eligibility Form,
 - (iii) The Participant Obligation Form.
 - (iv) Signed Housing Choice Voucher Home Ownership Program Counseling Waiver,
 - (v) Signed statement that client understands they will have the required amount of savings for down-payment when it is time to purchase a home which is \$1,000, 1% of purchase price, or 5% of assets, whichever is greater. Money earned through any Homeownership Program savings account or Family Self Sufficiency Escrow Account is exempt from the 5% asset requirement. At least 1% of the purchase price must come from the family's personal savings. (DHA's Housing Choice Voucher Home Ownership Program will be able to assist with some savings plans).

- (e) The Homebuyer's Club
 The Homebuyer's Club is made up of individuals who are approximately 12-14 months away from being able to buy a house. This "Club" is set up to provide group support, real estate and mortgage education, and intensive home ownership case management. The Primary Level of the Housing Choice Voucher Home Ownership Program is designed for individuals who are more than one year away from being able to buy a house. Classes, case management, credit repair, and money management are offered to participants in the Primary Level.

- (f) Mortgage Prequalification Letter
 When a resident is approximately one year away from being able to purchase a home, they will meet with a mortgage lender for a prequalification letter. A meeting with a lender can be coordinated earlier if deemed appropriate by DHA staff.

10.2 Family Eligibility Requirements

Participation in The Housing Choice Voucher Home Ownership Program is voluntary. Section 8 residents must meet the general requirements for admission to this program as set forth in DHA's Administrative Plan. To participate in The Housing Choice Voucher Home Ownership Program, residents must meet the following eligibility requirements including, the head of household or the spouse of the head of household must:

- Be a qualified person with a disability(ies) as defined in 24 C.F.R. 5.403.
- Have completed at least a **one year lease term** as a DHA resident. Applicants for, and new participants in DHA's Section 8 Program (who have not been a

DHA public housing resident for 12 consecutive months) are ineligible for participation in DHA's Housing Choice Voucher Home Ownership Program until completion of an initial DHA lease term and the participant's first annual recertification as a DHA resident.

- Be in good standing with no outstanding debts to DHA. Participants in DHA's Section 8 Program shall be ineligible for participation in the Housing Choice Voucher Home Ownership Program in the event that any debt or portion of a debt remains owed to DHA or any other Housing Authority. Nothing in this provision will preclude Section 8 participants that have fully repaid such debt(s) from participating in the The Housing Choice Voucher Home Ownership Program.
- Have down payment that equals a minimum of 1% of the purchase price, \$1,000.00, or 5% of assets, whichever is greater, at closing. Money earned through any Homeownership Program savings account or Family Self Sufficiency Escrow Account is exempt from the 5% asset requirement. At least 1% of the purchase price must come from the family's personal resources.
- Not have defaulted on a mortgage under any Section 8 Housing Choice Voucher Home Ownership Program. If a head of household, spouse, or other adult household member who will execute the contract of sale, mortgage, and/or loan documents has previously defaulted on a mortgage obtained through any Section 8 Housing Choice Voucher Home Ownership Program, the family will be ineligible to participate in DHA's Housing Choice Voucher Home Ownership Program.
- Not have any member in the household who has a present ownership interest in a residence.
- Sign the DHA's Section 8 HomeOwnership Voucher Program's Participant Obligations.
- Sign the DHA's Section 8 HomeOwnership Voucher Program's Homeowner Obligations.
- Be a first-time homebuyer according to HUD's definition. This means that no member of the household has had an ownership interest in any residence during the three years preceding commencement of home ownership assistance. However, a single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a "first-time homeowner" for purposes of the Section 8 homeownership option.
- Be actively enrolled in a DHA self-sufficiency program, either ROSS or Family Self Sufficiency as soon as being admitted into the program. Participants will be directed to either the FSS or the ROSS Program based on whether they fit the requirements for the FSS Program. The requirements for the FSS Program include, but are not limited to, having earned income from employment, not exceeding the maximum income requirements, and/or availability of FSS slots. Participants must be working towards increasing earned income to participant in the Family Self Sufficiency Program. Participants must complete a self sufficiency program before being approved to purchase a home through the program.

- Complete The Housing Choice Voucher Home Ownership Program Education Requirement including participating in and completing the following programming:
 - 1) Colorado Housing and Finance Authority (CHFA), Denver Housing Authority (DHA), or Colorado Housing Assistance Corporation (CHAC) Home Buyer Education -- must attend and complete a CHFA class offered by DHA or CHAC. Certification of completion of this education must be received a maximum of **90 days prior to signing a real estate contract.**
 - 2) Attend DHA's or CHAC's (as determined by DHA) monthly Homebuyer's Club classes until approved to close on the purchase of a home. Early exit from the Homebuyer's Club **must be approved by DHA** and at least 3 classes must have been attended.
 - 3) One-on-One Counseling – All homebuyers must participate in one-on-one counseling as needed (this is determined by DHA's HomeOwnership staff) regarding home ownership preparation, credit repair, etc.
 - 4) Education including but not limited to the following must be completed: budgeting, credit repair, advantages and disadvantages of home ownership, home inspections, the Colorado real estate contract, real estate and finance terms and definitions, the real estate closing, the loan closing, fair housing, how to compare mortgage loans, the Denver real estate market, house hunting techniques, negotiating purchase prices, real estate agency law, home maintenance, RESPA.

10.3 The Housing Choice Voucher Home Ownership Program Certificate of Eligibility

The Housing Choice Voucher Home Ownership Program participants must receive a Certificate of Eligibility before they can begin the home purchase process. To receive a Certificate of Eligibility, residents must:

- Sign a Participant Obligations Form.
- Sign a Homeowner Obligations Form.
- Sign an agreement to use the home they will purchase through the Housing Choice Voucher Home Ownership Program as their sole residence.
- Sign a release allowing DHA and their mortgage lender to exchange information on their future mortgage loan.
- Put a house under contract to purchase within 180 days after Homeownership Certificate of Eligibility is issued. This does not effect DHA's requirement that the rental voucher cannot be inactive for more than 60 days.
- Agree to secure an independent, professional home inspector to inspect the home. DHA must approve the inspection before the real estate contract's "Inspection Objection Deadline."
- Agree to have a HUD Housing Quality Standards inspection completed.

10.4 Compliance with Participant Obligations

Participants must agree, in writing, to comply with all the following Participant Obligations to participate in DHA's Housing Choice Voucher Home Ownership Program:

- Complete required home buyer counseling:
 - 1) A CHFA homebuyer education class offered DHA, or CHAC Home Buyer Education -- All Housing Choice Voucher Home Ownership Program home buyers must attend a CHFA class offered by DHA or CHAC (as determined by DHA). Certification of completion of this education must be received a maximum of 90 days **prior to signing a real estate contract.**
 - 2) All home buyers must attend DHA's or CHAC's monthly Homebuyer's Club classes until they close on the purchase of their house. Early exit from the Homebuyer's Club **must be approved by DHA** and at least 3 classes must have been attended.
 - 3) One-on-One Counseling – All homebuyers must participate in one-on-one counseling as needed regarding home ownership preparation, credit repair, etc. This will be determined by DHA staff.
 - 4) Education including but not limited to the following must be completed: budgeting, credit repair, advantages and disadvantages of home ownership, home inspections, the Colorado real estate contract, real estate and finance terms and definitions, the real estate closing, the loan closing, fair housing, how to compare mortgage loans, the Denver real estate market, house hunting techniques, negotiating purchase prices, real estate agency law, home maintenance, RESPA.
- Participate in a DHA self-sufficiency program after being admitted into the Housing Choice Voucher Home Ownership Program.
- Secure family's own financing through a CHFA approved lender or other DHA approved lender.
- Agree to have a HUD Housing Quality Standards (HQS) inspection completed prior to purchase.
- Hire an independent, professional inspector to complete an inspection of home prior to contract deadline. Submit copy of inspection report to DHA for approval. DHA must approve inspection before home sale can be complete. DHA can terminate real estate contract based on inspection report. This must be written into the real estate contract.
- Obtain a DHA approved mortgage which must comply with generally accepted mortgage underwriting requirements.
- Client must complete a DHA self sufficiency program before being approved to purchase a home by DHA.
- Buyer must pay with their own funds for the home inspection, appraisal, and credit reports which are all required during the loan approval process.

10.5 Compliance with Homeowner Obligations

A participant must agree, in writing, to comply with all the following Homeowner Obligations to participate in DHA's Housing Choice Voucher Home Ownership Program:

- Comply with their mortgage terms once they are approved for a mortgage

loan.

- Not sell or transfer the home to anyone while receiving home ownership assistance unless approved by DHA.
- Not refinance or add debt secured by the home without prior approval by DHA.
- Not obtain an ownership interest in another residence while receiving home ownership assistance from DHA.
- Supply all required information to DHA, including but not limited to annual verification of household income, notice of change in home ownership expenses, notice of move-out, and notice of mortgage default.
- Agree to use the home as their sole residence.
- Provide cash down payment at closing of at least \$1000.00, 1% of purchase price, or 5% of assets, whichever is greater. Money earned through any Homeownership Program savings account or Family Self Sufficiency Escrow Account is exempt from the 5% asset requirement. At least 1% of the purchase price must come from the family's personal resources.
- Make the family's portion of house payment every month to the Colorado Housing and Finance Authority (CHFA) or other mortgage lender via electronic payment between the 1st and 5th of each month.
- Sign a release allowing CHFA or other mortgage lender and DHA to exchange information regarding the loan before and after closing.
- Acknowledge that failure to comply with Section 8 voucher rules will result in the termination process as stated in HUD Section 8 rental assistance and homeownership rules and regulations and DHA's administrative plan.
- Acknowledge that the family will become obligated for the entire mortgage payment in event that Section 8 assistance is terminated.
- Agree to maintain the condition of the home to comply with minimum HUD Housing Quality Standards (HQS).
- If during the course of homeownership assistance, the family ceases to qualify as a disabled family, the maximum term becomes applicable from the date homeownership assistance commenced. However, such a family must be provided at least six months of homeownership assistance after the maximum term becomes applicable (provided the family is otherwise eligible to receive home ownership assistance in accordance with this part).
- The buyer is prohibited against reconveyance, transfer of home, and refinance so long as the family is receiving homeownership assistance from DHA.
- As long as the family has not defaulted while on the Housing Choice Voucher Home Ownership Program they can sell their current home and purchase another home while receiving Section 8 assistance **if they qualify**. Requirements established with the first home purchase apply to subsequent purchases. The maximum term of Section 8 home ownership assistance applies to the cumulative time on the program.
- Section 8 home owners **must have an annual DHA reexamine** to review the homeowner's income and family composition and to determine appropriate payments and make adjustments as necessary. If home owners do not complete their annual reexams, they will lose their Section 8 assistance.
- DHA has the right to perform yearly HQS inspections.

- Buyer agrees to maintain the condition of the home to comply with minimum HUD Housing Quality Standards (HQS) and acknowledges that voucher assistance can be terminated for failing to comply.
- The family may not sell the home unless DHA has approved the sale.
- Program participant agrees to allow their first mortgage company to contact DHA if the buyer is 30 days delinquent.
- If participant no longer qualifies for Section 8 voucher, she/he will be responsible for all mortgage payments.

10.6 Eligible Properties

For a property to qualify for purchase under DHA's Housing Choice Voucher Home Ownership Program it must meet the following criteria:

- The unit must either be under construction or already existing at the time the PHA determined that the family was eligible for homeownership assistance. The foundation must be poured before buyer can sign a contract to buy property.
- The unit must either be a single-family unit, condominium or townhouse.
- The unit must be inspected by a DHA HQS inspector, prior to closing.
- The unit must be inspected by independent inspector designated by the family and approved by DHA. This inspection must be approved by the DHA before property can be purchased.
- The seller of the unit cannot suspended, debarred, or subject to a limited denial of participation in HUD programs.
- Properties must be located in the city and county of Denver.

10.7 Loan Requirements

- Prior to execution of an offer to purchase, financing terms must be approved by DHA.
- All home loans provided through DHA's Housing Choice Voucher Home Ownership Program must be approved by DHA. All loans must comply with secondary mortgage market underwriting requirements and/or comply with generally accepted private sector underwriting standards consistent with those of HUD/FHA, Ginnie Mae, Fannie Mae, Freddie Mac, the Federal Home Loan Bank, etc.
- All subsidy payments will be paid directly to CHFA or other DHA approved lenders.
- The maximum length of home owner voucher assistance is 30 years.
- Buyer must have a down payment of 1% of the purchase price, \$1000.00, or 5% of assets, **whichever is greater**. Money earned through any Homeownership Program savings account or Family Self Sufficiency Escrow Account is exempt from the 5% asset requirement. At least one percent of the purchase price must come from the family's personal resources.
- It is the responsibility of the participant to secure mortgage financing for the home purchase from a CHFA approved lender or a DHA approved lender. DHA will provide a lender list. Lenders can be added to this list upon approval by DHA.

- DHA reserves the right to prohibit loans they determine to be predatory.
- Homeownership expenses (PITI) plus utility, maintenance reserves, repair/replacement allowance, and HOA allowances **cannot exceed 50% of purchaser's income**. DHA staff will try to keep qualifying numbers at 45% and go up to 50% only in extenuating circumstances.
- A **maintenance allowance and major repair/replacement allowance** will be factored into the mortgage qualifying numbers. The maintenance allowance and the major repair/replacement allowance must together be ½% a month of the purchase price.
- A **utility allowance** will be factored into mortgage qualifying numbers. This amount will be taken from the DHA Utility Allowance Schedule.
- The backend ratio for a mortgage through this program cannot exceed 41%.
- The Section 8 voucher will be used as direct payment offset.
- After the homeowner assistance payments begin, DHA will annually reexamine family income and composition and make appropriate adjustments to the amount of the monthly housing assistance payment. If clients do not comply with this requirement, their Section 8 payments to their mortgage lender can be stopped.
- To ensure long term affordability for clients who purchase a home through this program, the following mortgage loans are not allowable through DHA's Housing Choice Voucher Home Ownership Program: Adjustable rates, interest only, balloons, forty year or greater, or loans with prepayment penalties. Subprime loans, 80/20 loans, and seller financing may be denied or approved based on review by DHA staff. Only 30 year fixed interest rate mortgages will be accepted.
- Section 8 home owners may not be able to deduct all taxes and/or all interest each year from their home. They are advised to see an accountant.

10.8 Going Under Contract

The following information must be **attached to the real estate contract in an addendum** and/or completed during the contract process:

- Prior to execution of an offer to purchase a home, all financing and contract terms must be approved by DHA.
- The purchaser must hire an ASHI certified independent inspector approved by DHA to inspect the property. All inspection reports must be approved by DHA prior to the contract inspection deadline.
- The real estate contract must contain a certification from the seller and the real estate agent that they have not been debarred, suspended, or subject to a limited denial of participation by HUD.
- Buyer must have a DHA Housing Quality Standards (HQS) inspection prior to contract inspection deadline.
- DHA can terminate the real estate contract based on either the HQS inspection report or the independent inspection report.
- DHA must approve the sale, the home, the real estate contract, the mortgage loan, the inspector, and the inspection. The real contract can be terminated if any of these are not approved by DHA.

10.9 Homebuyer Education

Section 8 HomeOwnership voucher participants must complete DHA's Housing Choice Voucher Home Ownership Program Education Requirement including participating in the following programming:

- First Time Home Buyer Education -- All Housing Choice Voucher Home Ownership Program homebuyers must attend home ownership education classes (as determined by DHA) that meet CHFA guidelines and are provided by DHA or CHAC (Colorado Housing Assistance Corporation). Certification of completion of this education must be received **a maximum of 90 days prior** to signing a real estate contract.
- DHA or CHAC's Homebuyer's Club-- All home buyers must attend DHA or CHAC's monthly Homebuyer's Club classes (as determined by DHA) until they close on the purchase of their house. Early exit from the Homebuyer's Club **must be approved by DHA** and at least 3 classes must have been attended.
- One-on-One Counseling – All homebuyers must participate in one-on-one counseling as needed regarding home ownership preparation, financial fitness, credit repair, etc.
- Education including but not limited to the following must be completed: budgeting, credit repair, advantages and disadvantages of home ownership, home inspections, the Colorado real estate contract, real estate and finance terms and definitions, the real estate closing, the loan closing, fair housing, how to compare mortgage loans, the Denver real estate market, house hunting techniques, negotiating purchase prices, real estate agency law, home maintenance, RESPA.

10.10 Delinquency Prevention

- Program participant agrees to allow their first mortgage company to contact DHA if the buyer is 30 days delinquent.
- If participant no longer qualifies for Section 8 voucher, she/he will be responsible for all mortgage payments.

SECTION 11
MODERATE REHABILITATION PROGRAM PROVISIONS

MODERATE REHABILITATION PROGRAM

Unless stated below, facets of the Moderate Rehabilitation (“Mod Rehab”) Program are the same as listed in other areas of this Administrative Plan.

11.1 Family Participation

The Section 8 application process is a lottery system. Therefore, DHA does not maintain a waiting list for the Mod Rehab Program.

DHA’s policy is in accordance with HUD regulations which allow the landlord/owner to refer applicants as follows: “Owner selection of Families...the Owner may advertise or solicit applications from Low-Income Families and refer such Families to the PHA to determine eligibility. Since the Owner is responsible for tenant selection, the Owner may refuse any Family provided that the Owner does not unlawfully discriminate.”

If the family claims discrimination, the family may request DHA’s assistance in resolving the matter. DHA will follow HUD regulations regarding claims of discrimination.

This referral by the landlord/owner must be in writing to the Section 8 office. All referred applicants must meet all DHA housing eligibility requirements. Once an applicant is referred to the Section 8 Department, a preliminary appointment will be scheduled to complete an application packet. Upon review of the application packet, an interview is then scheduled with the Occupancy Department to verify the information and determine eligibility.

When the Mod Rehab HAP Contract is canceled, eligible clients may be issued priority selection for a Section 8 voucher, depending on circumstances and subject to voucher availability.

Mod Rehab clients who wish to relocate to another Mod Rehab unit may do so at the time of the expiration of the one-year lease, if there is another Mod Rehab unit available. A list of available housing through the Mod Rehab Program will be available to clients wishing to relocate. Thirty (30) days’ written notice of the client’s intent to vacate the unit and not enter into another one-year lease must be submitted to the landlord/owner and to DHA. Mod Rehab clients may not relocate to another Mod Rehab unit if they owe the landlord/owner under the current lease for damages or any other amounts due under the lease, or if they owe DHA any monies.

Once eligible families are referred to the Section 8 Department via Occupancy, they will be processed as any other Section 8 client.

11.2 Rent Increases

Rent increases will be monitored on a per contract basis. Such annual increases will not be allowed to exceed the AAF.

11.3 Utility Allowances

The utility allowance schedule used for the Mod Rehab Program will be the same as is used for the Section 8 Housing Choice Voucher Program. Revised schedules will be implemented at the time of client re-examination.

11.4 Damage and Vacancy Claim Notification

The client must repay DHA for any amount that DHA paid to the landlord/owner for a damage or vacancy claim. The family will be notified in writing, at their last known address, of the amount approved by DHA for the damage/vacancy claim. The notice will state that the client must contact DHA within 10 calendar days if they dispute the claim. DHA will allow the client to request an informal hearing to dispute the landlord's claim. The informal hearing will be held in accordance with the Informal Hearing Procedure.

11.5 Damage Claims

Damage claims are only payable for clients with a lease date effective prior to October 2, 1995.

Leases and contracts executed after October 2, 1995, are not entitled to DHA damage claims. Landlords/owners should prevent damages to units and collect damages to units caused by Section 8 clients in the same manner they prevent/collect from non-subsidized renters.

If a landlord/owner has knowledge of damages to the unit which may exceed the security deposit held by the landlord/owner, and is seeking reimbursement from DHA for client damages, the landlord/owner must provide documentation of the damages via photographs or video, and other documentation, such as move-in and move-out inspections, receipts for repair, etc.

Charges for normal wear and use, pre-existing conditions, routine turnover and cleaning costs, and scheduled interior and exterior painting will not be allowed. Under no circumstances will DHA cover damages or loss due to pets. Repainting of a unit after one year of tenancy is considered normal maintenance expense and is not allowed. DHA does not reimburse for unpaid client repair bills that are over two months old unless the owner can document collection efforts. The maximum hourly labor rate charge for a landlord/owner completing their own repairs is reviewed annually, and is maintained in the Section 8 Inspection Department.

Vandalism, stolen, or missing items that are charged on a damage claim must be supported by a police report made by the landlord/owner.

PRORATION

The following items will be considered for reimbursement based on the following proration table. The receipt for the item in question must be provided in order to document the original purchase date.

Exterior Doors	10-year life expectancy
Bathtub	10-year life expectancy
Refrigerator	7-year life expectancy
Stove	7-year life expectancy

Dishwasher	5-year life expectancy
Asphalt Tile Squares	5 year life expectancy
Floor Covering (Vinyl Sheet)	5-year life expectancy
Carpet	5-year life expectancy
Sink	5-year life expectancy
Screens/Storm Doors	5-year life expectancy
Painting/Wallpaper	1 year life expectancy
Garbage Disposal	1 year life expectancy

The following items will not be prorated, they will be reimbursed for actual cost:

windows
dry wall
interior doors

If the unit is in a multi-unit complex (duplex, triplex, etc.) and outside damages are charged (fence, paint, roof, etc.), specific charges to a specific client must be supported and documented by the landlord/owner, i.e. police report for vandalism, statement from witness to damage, etc. If the charges cannot be determined to be the fault solely of the client, then the cost of the damages will be divided between the number of units in the complex, and only that portion applicable to one unit will be allowed.

The landlord/owner must provide the client with a list of the claimed damages via registered mail to the client's last known address, per State law. A copy of this notice must be submitted with the damage claim. The landlord/owner must submit evidence that every effort was made to collect charges due from the client before submitting a claim to DHA. This evidence includes copies of: State required security deposit statement mailed to client, list of damages mailed to client and copy of registered mail receipt, letters mailed to client.

Landlord/owner must submit damage claims on the form provided by DHA and all supporting documentation to DHA within 60 days of the lease termination. Landlords/owners may request an extension to the 60-day limit. The request for extension must be in writing to the Section 8 Department, must be received by the Section 8 Department before the expiration of the initial 60 days, and must document the requested extension timeframe. Attached to the extension request must be documentation that the extension is justified, i.e. statement from the contractor that work has been delayed, notices from suppliers that supplies are on back order, etc. Additional requests for extensions must be submitted and documented per the procedures for the initial extension request.

Supporting documentation for repairs will consist of an itemized list of damages, actual cost of required repairs, receipts and/or written verification of all charges, invoice copies, itemized lists of labor costs signed by the person performing the labor, evidence of billing to and non-payment by the client (registered mail return receipt). Expenditures or charges not substantiated with written receipts or otherwise acceptable verification are not allowable claims for damage claim reimbursement. Proposals to complete work will not be accepted as paid invoices.

If the landlord/owner fails to send the deposit accounting to the client within the State law allotted time, and/or fails to provide a copy to DHA, the claim will be denied.

If, after the landlord/owner receives a payment from DHA, amounts are collected from the family by the landlord/owner which would reduce DHA's payment, the landlord/owner must repay DHA for that amount.

DHA will notify the family of the amount DHA intends to pay the landlord/owner on behalf of the family for a damage claim. DHA will give the family 10 days in which to respond to DHA if they dispute the amount of the damage claim. If the family disputes the amount, DHA will allow the client and/or landlord/owner to request an informal hearing. The informal hearing will be held in accordance with the Informal Hearing Procedure.

A landlord/owner may also resolve the dispute in either of the following two manners:

- (a) An amount mutually agreed upon by both the landlord/owner and the family. This amount must be documented in writing to DHA, and signed and dated by the landlord/owner and the family.
- (b) A judgment amount ordered by a court of law. Judgment amounts must be documented officially by the court.

Upon receipt of either of the above mentioned resolution documents, or upon an opinion by the Informal Hearing Officer in favor of the landlord/owner, the damage claim payment to the landlord/owner will be processed. Regardless of any court judgment amount, the maximum damage claim payment made by DHA to the landlord/owner will be the amount stated in the HAP Contract between DHA and the landlord/owner.

11.6 Landlord/Owner Collections Efforts of Damage and Vacancy Claims

The landlord/owner must make every attempt to collect damage and vacancy amounts from the client before submitting a damage or vacancy claim to DHA.

11.7 Vacancy Claims

Vacancy claims are only payable for clients leasing the unit prior to October 2, 1995. The Mod Rehab and SRO contracts permit the landlord/owner to bill DHA for vacancy losses when the family vacates the unit in violation of the Lease.

Vacancy Loss may be claimed for the following conditions:

- The client moved out, without cause, during the term of the initial lease.
- The client moved out without proper notice.
- The landlord/owner evicted the family through court action and has complied with the HAP Contract.

When the family vacates under these circumstances, the landlord/owner may:

- (a) Keep the HAP received for the month in which the family vacates, and
- (b) Bill DHA for 80% of the contract rent for a vacancy period not to exceed one additional month or the termination of the lease, whichever comes first, assuming the unit is not re-rented.

If the family vacates in accordance with the lease, no vacancy claim can be made by the landlord/owner.

To be eligible for a vacancy loss payment, the landlord/owner must:

- (a) Immediately notify DHA of the vacancy.
- (b) Take all feasible actions to fill the vacancy, such as advertising the vacancy, and not reject eligible applicants except for good cause. Documentation of these actions is required.
- (c) Not be eligible for payments on the vacated unit from some other source.

The landlord/owner must submit a claim, on the form provided by DHA, for vacancy loss, along with supporting documentation. Supporting documentation should include: official notification to DHA of the vacancy, proof that the landlord/owner has taken reasonable action to fill the vacancy.

A move date is mutually agreed upon by both the landlord/owner and the family, either by:

- (a) The family submits a Notice to Vacate to the landlord/owner and the landlord/owner accepts the Notice to Vacate; or
- (b) The landlord/owner and the family enter into a mutual rescission of the residential lease.

The HAP contract and the Section 8 residential lease terminate on the effective date of the Notice to Vacate or the mutual rescission. HAP will not be made on behalf of the family after this date. If the family does not vacate the unit on the mutually agreed upon date, the family is not subsidized, and the family must make the entire rent payment themselves. If the family does not make the entire rent payment, the landlord/owner must privately pursue rent collection. DHA is not liable for HAP after the effective date of either of these notices, even if the family does not move from the unit.

If the landlord/owner and the family mutually agree to rescind the Notice to Vacate or the mutual rescission, they must do so in writing, signed and dated by both the landlord/owner and the family, and must submit this document to the Section 8 office.

This written rescission must be given to the Section 8 office prior to the effective date of the lease termination.

11.8 Law Enforcement and Security Personnel

To increase security, Section 8 assistance may be provided to police officers and other security personnel who are not otherwise eligible for assistance. The landlord/owner must apply to the HUD Field Office for authorization to house over-income police officers and other security personnel.

11.9 New Admissions

Forty (40) percent of new admissions to the Mod Rehab Program will be at or below thirty (30) percent of the Area Median Income. The remaining sixty (60) percent of new admissions may be up to eighty (80) percent of the Area Median Income.

11.10 Terminations

The landlord/owner must follow HUD regulations regarding termination of tenancy.

SECTION 12
PROJECT BASED VOUCHER PROGRAM

PROJECT BASED VOUCHER (“PBV”) PROGRAM

12.1 General Requirements

Overview

The project-based voucher (PBV) program allows PHAs that already administer a tenant-based voucher program under an annual contributions contract (ACC) with HUD to take up to 20% of its voucher program budget authority and attach the funding to specific units rather than using it for tenant-based assistance. Program requirement for attaching project-based voucher assistance to units are found at 24 C.F.R. 983.

DHA will operate a PBV program using up to 10% of its voucher program budget authority. At least annually, DHA will determine the number of vouchers needed for PBV program and reduce or discontinue the issuance of new tenant-based vouchers so that the necessary PBV assistance are made available through attrition. The decision to provide PBV assistance will be based on the extent to which such assistance will:

- Upgrade and assure the long-term viability of the city’s rental housing;
- Increase the supply of affordable housing and location choices available to low-income households;
- Integrate housing and supportive services for low-income families with special needs, and;
- Promote the coordination and leveraging of housing resources.

Unless specifically prohibited by the PBV program regulations in accordance with 24 C.F.R. 983.2, policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.

Relocation Requirements

Any person displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (RA) [42 U.S.C. 4201-4655] and implementing regulations at 49 C.F.R. part 24. The cost for required relocation will be paid by the property owner.

Equal Opportunity Requirements

DHA will comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program.

12.2 Owner Proposal Selection Procedures

DHA will select PBV proposals in accordance with the selection procedures in the DHA Section 8 Administrative Plan. Proposals will be selected in accordance with 24 C.F.R. 983.51. Before selecting a PBV proposal, DHA will ensure that the PBV proposal complies with HUD regulations and requirements, including a determination that the property qualifies as eligible housing, complies with the cap on the number of PBV units per building (25%), and meets the site selection standards in accordance with 24 C.F.R. 983.57.

DHA will review and evaluate proposals according to the following criteria:

- 1) Existing and rehabilitated housing site and neighborhood standards:
 - Be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities and streets must be available to service the site;
 - Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
 - Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents; and
 - Be located that travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers is not excessive.

- 2) New construction site and neighborhood standards:
 - Be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities and streets must be available to service the site.
 - Site must not be located in an area of minority concentration, except as permitted under 24 C.F.R. 983.57(e)(3), and must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.
 - A project may be located in an area of minority concentration only if:
 - a) Sufficient, comparable opportunities exist for housing minority families in the income range to be served by the proposed project outside areas of minority concentration;
 - b) The project is necessary to meet overriding housing needs that cannot be met in that housing market area;
 - c) Produce a reasonable distribution of assisted units each year that, over a period of several years, will approach an appropriate balance of housing choices within and outside areas of minority concentrated areas; and
 - d) Units may be comparable opportunities.
 - Site must promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.
 - Neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate, unless there is actively in progress a concentrated program to remedy the undesirable conditions.
 - Housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.

- Except for new construction, housing designed for elderly persons, travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers, must not be excessive.

DHA-Owned Units

A DHA-owned unit may be assisted under the PBV program only if the HUD field office or HUD approved independent entity reviews the selection process and determines that DHA-owned units were appropriately selected based on the selection procedures specified in this Administrative Plan. If a property is DHA-owned or controlled by DHA, DHA must identify the independent entity that will review DHA's proposal selection process and perform specific functions with respect to rent determinations and inspections.

Prohibition of Assistance for Certain Units

DHA may not attach or pay PBV assistance for shared housing units, units on the grounds of a penal reformatory, medical, mental or similar public or private institution; nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (except that assistance may be provided in assisted living facilities); units controlled by an educational institution or its affiliate and are designated for occupancy by students; manufactured homes; cooperative housing; and transitional housing. In addition, DHA may not attach or pay PBV assistance for a unit occupied by an owner or ineligible family.

DHA will not use high rise elevator projects for families with children.

DHA will not attach or pay PBV assistance to units in the following subsidized housing types:

- A public housing unit;
- A unit subsidized with another form of Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with governmental subsidy that covers all of any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments;
- A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949, 42 U.S.C. 1490a;
- A Section 202 project for non-elderly with disabilities;
- Section 811 project-based supportive housing for person with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance; and
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or DHA.

DHA will provide PBV assistance in accordance with HUD subsidy layering regulation in accordance with 24 C.F.R. 4.13.

Cap on Number of PBV Units in Each Building

DHA may not select proposals to provide PBV assistance for units in a building if the total number of dwelling units in the building that will receive PBV assistance during the term of the HAP contract is more than 25% of the number of dwelling units (assisted or unassisted) in the building.

In the following cases, PBV units are not counted against the 25% per building cap: 1) Units are in a single-family building; and 2) The units are excepted units in a multifamily building because they are specifically made available for elderly or disabled families or families receiving supportive services.

DHA will request all required HUD waivers to apply for PBV to all units at the historic building located at 1309 Grant Street, currently owned by DHA, which will be developed in partnership with a local non-profit to provide supportive services.

DHA may attach PBV assistance for units in existing housing or for newly constructed or rehabilitated housing developed under and in accordance with an agreement to enter into a HAP contract that was executed prior to the start of construction. A housing unit is considered an existing unit for purposes of the PBV program if, at the time of notice of DHA selection, the units substantially comply with HQS. Units for which new construction or rehabilitation was started in accordance with PBV program requirements do not qualify as existing housing.

DHA will decide what housing type, new construction, rehabilitation, or existing housing will be used to develop PBV housing. The housing type must be reflected in the solicitation of proposals.

Site Selection Standards

DHA's goal is to select sites for PBV housing that provide for de-concentrating poverty and expanding housing and economic opportunities. In complying with this goal, DHA will limit approval of sites for PBV housing in census tracts that have poverty concentrations of 20% or less. DHA may grant exceptions to the 20% standard when it is determined that the PBV assistance will complement other local redevelopment activities designed to de-concentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20%, such as:

- A census tract in which the proposed PBV development will be located in a HUD designated Enterprise Zone, Economic Community, or Renewal Community;
- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition;
- A census tract in which the proposed PBV development will be located is undergoing significant revitalization;
- A census tract where state, local, or federal dollars have been invested in the area that has assisted in the achievement of the statutory requirement;
- A census tract where new market rate units are being developed where such market rates units will positively impact the poverty rate in the area;

- If the poverty rate in the area where the proposed PBV development will be located is greater than 20%, the PHA should consider whether in the past 5 years has been an overall decline in the poverty rate;
- A census tract where there are meaningful opportunities for educational and economic advancement.

Environmental Review

Activities under the PBV program are subject to HUD environmental regulations in 24 C.F.R. parts 5 and 58.

Request for Proposal Process

- (a) DHA will advertise the availability of project-based vouchers in the Denver Post and in other publications identified in DHA's Equal Opportunity Housing Plan as targeted to DHA's minority communities. The ad will be run once a week for three weeks. Proposals will be due no sooner than thirty days after the date of the last advertisement.

The advertisement will contain summary information about the number of vouchers available; minimum requirements for proposed units; the types of housing to be used; the services – if any – to be provided by project sponsors; timeframes for the completion of any necessary construction or repairs, and for the availability of proposed units for occupancy by program families; the criteria that will be used to select proposals; and the deadline for proposals.

Prospective offerors will be directed to request a complete Request for Proposals (RFP) packet from DHA. The packet will include the public notice, detailed information about the PBV program and the selection process, and the forms to be used or included with the proposal.

A pre-proposal conference for prospective offerors will be held after the last advertisement is run. The conference will provide offerors with an opportunity to learn more about the PBV program, and to ask any questions they may have about the application process. Questions that cannot be answered at the conference will be answered in writing. Answers will be sent to all attendees, and to other offerors on request.

Offerors' questions will be accepted by telephone, fax, or mail up to the date of the pre-proposal conference. Answers to written questions will be included with any written answers sent to pre-proposal conference attendees and to other offerors who request them.

Proposals must be received by DHA by the date and time specified in the RFP. Late proposals will not be accepted. Proposals may be mailed, sent by private delivery service, or hand-delivered to DHA's administrative offices. Proposals submitted by fax or e-mail will not be accepted.

- (b) Proposal Review and Selection

Within fifteen (15) working days of the proposal deadline, DHA will review all proposals to determine whether proposed units meet DHA's minimum requirements as stated in the RFP. Proposals that do not meet these minimum requirements will be deemed non-responsive. Proposals determined to be non-responsive will be rejected. Offerors will be notified in writing of the reason(s) that the units have been rejected. DHA will not rate these proposals.

DHA will request proposals for units in low-poverty areas in accordance with this requirement.

All units remaining in the selection pool will be inspected for compliance with HUD's Housing Quality Standards (HQS), and with the Residential Lead-Based Paint Hazard Reduction Act of 1992 as implemented at 24 C.F.R. 35, subpart H.

For existing units, DHA will conduct an inspection and complete an inspection report identifying HQS deficiencies to be corrected prior to the execution of the HAP contract.

For units requiring rehabilitation in excess of \$1,000.00 per unit, DHA will conduct an HQS inspection and complete an inspection report listing all HQS deficiencies. If the offeror has submitted drawings and/or specifications, DHA will review the offeror's plan to determine whether additional work items are necessary to bring the units into compliance with HQS.

For units to be constructed, DHA will review the offeror's plans and/or specifications to determine that they include all items necessary for compliance with HQS. DHA will also conduct a site inspection, and will evaluate the proposed site in accordance with HUD's site and neighborhood standards for new construction.

DHA will use information submitted by the offerors and the results of the unit and/or site inspections and other reviews to rate all proposals in the selection pool. Proposals will be rated in accordance with the selection criteria and weighting to include site and neighborhood characteristics; design of the proposed units; previous experience of the offeror and/or other participants in development, marketing and management; and feasibility of the project as a whole, including the likelihood of financing and marketability. Additional criteria established by DHA may include:

- Documented need for the proposed type of housing;
- Large bedroom sizes suitable for families with children;
- Type and quality of proposed supportive services;
- Extent to which the proposed development contributes to the distribution of affordable housing throughout the City and/or promotes the deconcentration of poverty;
- Cooperative agreements or arrangements between public, quasi-public and/or non-profit agencies or organizations;
- Leveraging of assistance from multiple sources or programs;
- Quality of management plan; and

- Participation by minority and women-owned businesses

DHA will use the ratings of the proposals reviewed to establish a competitive and non-competitive break in the ratings. If the number of units in the competitive range is less than the maximum number of units advertised, fewer units will be awarded. If, when reasonable allowance is made for proposals that will drop out during the development process, the number of project-based vouchers available is sufficient to provide assistance to all proposals in the competitive range, all proposals will receive an offer of project-based voucher assistance. If the number of units in the competitive range exceeds the number of project-based vouchers available, a reduction will be made in the number of vouchers awarded to the lower-rated proposal(s).

In no instance will DHA make a commitment of PBV in excess of 10% of its voucher inventory.

For all proposals in the competitive range, DHA will retain the services of a state-certified appraiser who has no direct or indirect interest in the proposed units to determine whether the requested rents are reasonable in relation to rents charged for comparable unassisted units. The appraiser will be required to submit a completed Form HUD-92273 (Estimate of Market Rents by Comparison) for each unit size and type proposed. If the rent determined reasonable by the appraiser is lower than the rent requested by the offeror, DHA will condition any offer of assistance on the offeror's acceptance of the lower rent.

Notwithstanding any determination by the appraiser that a higher rent is reasonable, DHA will not approve rents for project-based units that exceed 110% of the published Fair Market Rent in effect at the time the Agreement (for new or rehabilitated units) or HAP contract (for existing units) is signed.

Offerors of units in the competitive range will be promptly notified in writing that their proposals have been selected to receive project-based voucher assistance. The notifications will include the work items required to bring the units into compliance with HQS, and the unit rents proposed by DHA. For units or projects located in high-poverty areas, offerors will be advised that execution of an Agreement is contingent upon DHA's receipt of waiver authority from HUD. Offerors will be given ten (10) working days to advise DHA whether they are in agreement with the terms and conditions proposed.

A notice will be published in the Rocky Mountain News and Denver Post that a proposal has been selected.

Documentation will be available for public inspection regarding the basis for DHA's selection.

Each application must be approved by the DHA Board of Commissioners prior to entering into a HAP contract and prior to requesting a waiver from HUD, if needed.

12.3 Dwelling Units

Housing Quality Standards

The HQS for the tenant-based voucher program, including those for special housing types, generally apply to the PBV program. HQS requirements for shared housing, cooperative housing, manufactured home space rental, and the home ownership option do not apply because these housing types are not assisted under the PBV program.

The physical condition standards at 24 C.F.R. 5.703 does not apply to the PBV program.

Lead-Based Paint [24 C.F.R. 983.101(c)]

The lead-based paint requirements for the tenant-based voucher program do not apply to the PBV program. Instead, the Lead-Based Paint Poisoning Prevention Act (42 U.S.C.4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at 24 C.F.R. part 35, subparts A, B, H, and R, apply to the PBV.

Housing Accessibility for Persons with Disabilities

The housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 C.F.R. part 8. The PHA must ensure that the percentage of accessible dwelling units complies with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by HUD's regulations at 24 C.F.R. 8, subpart C.

Housing first occupied after March 13, 1991, must comply with design and construction requirements of the Fair Housing Amendments of 1988 and implementing regulations at 24 C.F.R. 100.205, as applicable. (24 C.F.R. 983.102).

Inspecting Units

- (a) Pre-selection Inspection [24 C.F.R. 983.103(a)]
DHA will examine the proposed site before the proposal selection date. If the units to be assisted already exist, DHA must inspect all the units before the proposal selection date, and must determine whether the units substantially comply with the HQS. To qualify as existing housing, units must substantially comply with the HQS on the proposal selection date. However, DHA may not execute the HAP contract until the units fully comply with HQS.
- (b) Pre-HAP Contract Inspection [24 C.F.R. 983.103(b)]
DHA will inspect each contract unit before execution of the HAP contract. The PHA may not enter into a HAP contract covering a unit until the unit fully complies with HQS.
- (c) Turnover Inspections [24 C.F.R. 983.103(c)]
Before providing assistance to a new family in a contract unit, DHA must inspect the unit. DHA will not provide assistance on behalf of the family until the unit fully complies with HQS.

- (d) Annual Inspection [24 C.F.R. 983.103(d)]
At least annually during the term of the HAP contract, DHA will inspect a random sample, consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this annual inspection requirement.

If more than 20 percent of the annual sample of inspected contract units in a building fails the initial inspection DHA will re-inspect 100 percent of the contract units in the building.

- (e) Other Inspections [24 C.F.R. 983.103(e)]
DHA will inspect contract units whenever needed to determine that the contract units comply with HQS and that the owner is providing maintenance, utilities, and other services in accordance with the HAP contract. DHA will take into account complaints and any other information coming to its attention in scheduling inspections.

DHA will conduct follow-up inspections needed to determine if the owner (or, if applicable, the family) has corrected an HQS violation, and must conduct inspections to determine the basis for exercise of contractual and other remedies for owner or family violation of HQS.

In conducting DHA supervisory quality control HQS inspections, the PHA should include a representative sample of both tenant-based and project-based units.

- (f) Inspecting PHA-owned Units [24 C.F.R. 983.103(f)]
In the case of PHA-owned units, the inspections must be performed by an independent agency designated by the PHA and approved by HUD. The independent entity must furnish a copy of each inspection report to DHA and to the HUD field office where the project is located. DHA must take all necessary actions in response to inspection reports from the independent agency, including exercise of contractual remedies for violation of the HAP contract by the PHA-owner.

12.4 Rehabilitated and Newly Constructed

- (a) Overview
There are specific requirements that apply to PBV assistance for newly constructed or rehabilitated housing that do not apply to PBV assistance in existing housing. This part describes the requirements unique to this type of assistance.

Housing selected for this type of assistance may not, at a later date, be selected for PBV assistance as existing housing.

In order to offer PBV assistance in rehabilitated or newly constructed units, the PHA must enter into an Agreement to enter into HAP contract (AHAP) with the owner of the property. The AHAP must be in the form required by HUD [24 C.F.R. 983.152(a)].

In the AHAP the owner agrees to develop the PBV contract units to comply with HQS, and the PHA agrees that upon timely completion of such development in accordance with the terms of the AHAP, the PHA will enter into a HAP contract with the owner for the contract units [24 C.F.R. 983.152(b)].

(b) Content of the AHAP [24 C.F.R. 983.152(c)]

As applicable, the following items will be added:

- 1) Training, employment contracting opportunities for businesses and lower-income persons;
- 2) Equal employment opportunities;
- 3) Clean air act and federal water pollution control act;
- 4) Labor standards requirements; and
- 5) Flood insurance.

At a minimum, the AHAP must describe the following features of the housing to be developed (newly constructed and rehabilitated) and assisted under the PBV program:

- Site and the location of the contract units;
- Number of contract units by area (size) and number of bedrooms and bathrooms;
- Services, maintenance, or equipment to be supplied by the owner without charges in addition to the rent to owner;
- Utilities available to the contact units, including a specification of utility services to be paid by the owner (without charges in addition to rent) and utility services to be paid by the tenant;
- An indication of whether or not the design and construction requirements of the Fair Housing Act, implementing regulations at 24 C.F.R. 100.205, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and implementing regulations at 24 C.F.R. 8.22 and 8.23 apply to units under the Agreement. If applicable, any required work item resulting from these requirements must be included in the description of work to be performed under the AHAP;
- Estimated initial rents to owner for the contract units;
- Description of the work to be performed under the Agreement. For rehabilitated units, the description must include the rehabilitation work write up and, where determined necessary by the PHA, specifications and plans. For new construction units, the description must include the working drawings and specifications.
- Any additional requirements for quality, architecture, or design over and above HQS.

The AHAP must be executed promptly after the PHA notice of proposal selection to the selected owner. However, the PHA may not enter into the AHAP with the owner until the subsidy layering review is completed. Likewise, the PHA may not enter into the AHAP until the environmental review is completed and the PHA has received environmental approval.

DHA will enter in the AHAP with the owner within 10 business day of receiving both environmental approval and notice that subsidy layering requirements have been met.

- (c) Conduct of Development Work-Labor Standards [24 C.F.R. 983.154(b)]
If an AHAP covers the development of nine or more contract units (whether or not completed in stages), the owner and the owner's contractors and subcontractors must pay Davis-Bacon wages to laborers and mechanics employed in the development of housing. The HUD-prescribed form of the AHAP will include the labor standards clauses required by HUD, such as those involving Davis-Bacon wage rates.

The owner, contractors, and subcontractors must also comply with the Contract Work Hours and Safety Standards Act, Department of Labor regulations in 29 C.F.R. part 5, and other applicable federal labor relations laws and regulations. The PHA must monitor compliance with labor standards.

The owner must comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations at 24 C.F.R. 135. The owner must also comply with federal equal employment opportunity requirements.

- (d) Owner Disclosure [24 C.F.R. 983.154(d) and (e)]
The AHAP and HAP contract must include a certification by the owner that the owner and other project principals are not on the U.S. General Services Administration list of parties excluded from federal procurement and non-procurement programs.

The owner must also disclose any possible conflict of interest that would be a violation of the AHAP, the HAP contract, or HUD regulations.

- (e) Completion of Housing
The AHAP must specify the deadlines for completion of the housing, and the owner must develop and complete the housing in accordance with these deadlines. The AHAP must also specify the deadline for submission by the owner of the required evidence of completion.

At a minimum, the owner must submit the following evidence of completion to DHA in the form and manner required:

- Owner certification that the work has been completed in accordance with HQS and all requirements of the AHAP, and
- Owner certification that the owner has complied with the labor standard and equal opportunity requirements in the development of the housing.

At the PHA's discretion, the AHAP may specify additional documentation that must be submitted by the owner as evidence of housing completion.

DHA will specify any additional documentation requirements in the Agreement to enter into HAP contract.

(f) Acceptance of Completed Units

Upon notice from the owner that the housing is completed will inspect to determine if the housing has been completed in accordance with the AHAP, including compliance with HQS and any additional requirements imposed under the AHAP, DHA will determine if the owner has submitted all required evidence of completion.

If the work has not been completed in accordance with the AHAP, DHA will not enter into the HAP contract.

If the PHA determines the work has been completed in accordance with the AHAP and that the owner has submitted all required evidence of completion DHA will submit the HAP contract for execution by the owner and must then execute the HAP contract.

DHA entered into an AHAP for 28 PBV on the Colorado Commons project located at 1601 Colorado Boulevard after receiving HUD approval.

12.5 Housing Assistance Payments (“HAP”) Contract

- (a) DHA must enter into a HAP contract with an owner for units that are receiving PBV assistance. The purpose of the HAP contract is to provide housing assistance payment for eligible families. Housing assistance is paid for contract units leased and occupied by eligible families during the HAP contract term. The HAP contract must be in the form required by HUD.

(b) HAP Contract Requirements

The HAP contract must specify the following information:

- The total number of contract units by number of bedrooms;
- The project’s name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- The number of contract units in each building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner and included in the rent to owner;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner (included in rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 C.F.R. part 8;
- The HAP contract term;

- The number of units in any building that will exceed the 25 percent per building cap, which will be set-aside for occupancy by qualifying families; and
- The initial rent to owner for the first 12 months of the HAP contract term.

(c) Execution of the HAP Contract

The PHA may not enter into a HAP contract until each contract unit has been inspected and the PHA has determined that the unit complies with the Housing Quality Standards (HQS). For existing housing, the HAP contract must be executed promptly after the PHA selects the owner's proposal and inspects the housing units. For newly constructed or rehabilitated housing for HAP contract must be executed after the PHA has inspected the completed units and has determined that the units have been completed in accordance with the agreements to enter into HAP, and the owner furnishes all required evidence of completion. In the HAP contract, the owner certifies that the units have been completed in accordance with the Agreement.

For existing housing, the HAP contract will be executed within 10 business days of determining that all units pass HQS.

For rehabilitated or newly constructed housing, the HAP contract will be executed within 10 business days of determining that the units have been completed in accordance with the agreement to enter into HAP, all units meet HQS, and the owner has submitted all required evidence of completion.

(d) Term of HAP Contract

DHA will enter into a HAP contract with an owner for an initial term of no less than one year and no more than ten years. The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis.

Within one year before expiration of the HAP contract, DHA may extend the term of the contract for an additional term of up to five years if the DHA determines an extension is appropriate to continue providing affordable housing for low-income families. When determining whether or not to extend an expiring PBV contract, DHA will consider several factors including: 1) The cost of extending the contract and the amount of available budget authority; 2) The condition of the contract units; 3) The owner's record of compliance with obligations under the HAP contract and lease(s); 4) Whether the location of the units continues to support the goals of de-concentrating poverty and expanding housing opportunities; and 5) Whether the funding could be used more appropriately for tenant-based assistance.

(e) Termination by PHA [24 C.F.R. 983.205(c)]

The HAP contract provides that the term of the PHA's contractual commitment is subject to the availability of sufficient appropriated funding as determined by HUD or by DHA in accordance with HUD instructions. For these purposes, sufficient funding means the availability of appropriations, and of funding under the ACC from such appropriations, to make full payment of housing assistance payments payable to the owner for any contract year in accordance with the terms of the HAP contract.

If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract, DHA may terminate the HAP contract by notice to the owner. The termination must be implemented in accordance with HUD instructions.

- (f) Termination by Owner [24 C.F.R. 983.205(d)]
If in accordance with program requirements the amount of rent to an owner for any contract unit is reduced below the amount of the rent to owner at the beginning of the HAP contract term, the owner may terminate the HAP contract by giving notice to the PHA. In this case, families living in the contract units must be offered tenant-based assistance.
- (g) Remedies for HQS Violations [24 C.F.R. 983.207(b)]
DHA will not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If DHA determines that a contract does not comply with HQS, the PHA may exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.
- (h) Amendments to the HAP Contract
- 1) Substitution of Contract Units:
The HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same building for a previously covered contract unit. Before any such substitution can take place, DHA or must inspect the proposed unit and determine the reasonable rent for the unit.
 - 2) Addition of Contract Units:
At DHA's discretion and subject to the restrictions on the number of dwelling units that can receive PBV assistance per building and on the overall size of DHA's PBV program, a HAP contract may be amended during the three-year period following the execution date of the HAP contract to add additional PBV units in the same building. This type of amendment is subject to all PBV program requirements except that a new PBV proposal is not required. All amendments will require approval from DHA's Board of Commissioners.
- (i) HAP Contract Year, Anniversary and Expiration Dates
When the owner executes the HAP contract she/he certifies that at such execution and at all times during the term of the HAP contract:
- All contract units are in good condition and the owner is maintaining the premises and contract units in accordance with HQS;
 - The owner is providing all services, maintenance, equipment and utilities as agreed to under the HAP contract and the leases;

- Each contract unit for which the owner is receiving HAP, is leased to an eligible family, and the lease is in accordance with the HAP contract and HUD requirements;
- To the best of the owner's knowledge the family resided in the contract unit for which the owner is receiving HAP, and the unit is the family's only residence;
- The owner (including a principal or other interested party) is not the spouse, parent, child, grandparent, grandchild, sister, or brother or any member of a family residing in a contract unit;
- The amount of the HAP the owner is receiving is correct under the HAP contract;
- The rent for contract units does not exceed rents charged by the owner for comparable unassisted units;
- Except for HAP and tenant rent, the owner has not received and will not receive any other payment or consideration for rental of the contract unit; and
- The family does not own or have any interest in the contract unit.

(j) **Vacancy Payments**
DHA will not provide vacancy payments in the PBV Program.

12.6 Occupancy

As previously explained in this Administrative Plan, the Section 8 application process is conducted through a lottery system. Therefore, DHA does not maintain a waiting list for the Project-Based Voucher Program.

DHA's policy is in accordance with HUD regulations which allow the landlord/owner to refer applicants as follows: "Owner selection of Families...the Owner may advertise or solicit applications from Low-Income Families and refer such Families to the PHA to determine eligibility. Since the Owner is responsible for tenant selection, the Owner may refuse any Family provided that the Owner does not unlawfully discriminate."

If the family claims discrimination, the family may request DHA's assistance in resolving the matter. DHA will follow HUD regulations regarding claims of discrimination.

This referral by the landlord/owner must be in writing to the Section 8 office. The same eligibility requirements for the tenant-based voucher program (refer to Section 3.3: Admissions and Occupancy Provisions) will apply to the PBV program. Once an applicant is referred to the Section 8 Department, a preliminary appointment will be scheduled to complete an application packet. Upon review of the application packet, an interview is then scheduled with the Section 8 Eligibility Department to verify the information and determine eligibility.

Once eligible families are referred to the Section 8 Department, they will be processed as any other Section 8 client.

(a) Offer of PBV Assistance

1) Refusal of Offer

DHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny an admission preference for which applicant qualifies;
- Change the applicant's place on the waiting list based on preference, date, and time application, or other factors affecting selection under the PHA's selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

2) Disapproval by Landlord/Owner

If a PBV landlord/owner rejects a family for admission to the owner's unit, such rejection may not affect the family's position on the tenant-based voucher waiting list.

3) Acceptance of Offer

(i) Family Briefing

When a family accepts an offer for PBV assistance, DHA must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family an owner. In addition to the oral briefing, DHA must provide a briefing packet that explains how the DHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

(ii) Persons with Disabilities

Refer to Section 3.2: Admissions and Occupancy Policies.

(iii) Persons with Limited English Proficiency

Refer to Section 3.27: Admissions and Occupancy Policies.

(b) Owner Selection of Tenants

The landlord/owner is responsible for developing written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families and reasonably related to program eligibility and an applicants ability to fulfill their obligations under the lease. The landlord/owner must promptly notify DHA, in writing, on any rejected applicant and the grounds for the denial.

1) Leasing

During the term of the HAP contract, the owner must lease contract units to eligible families that have been approved by DHA. The contract unit leased to the family must be leased in the appropriate size unit of the family, based on DHA's subsidy standards.

The tenant must have a legal capacity to enter a lease under state and local law. The tenant and the landlord/owner must enter into a written lease agreement that is signed by both parties. If a landlord/owner uses a standard lease form for rental units to unassisted tenants in the locality or premises, the same lease must be used for assisted tenancy, except that the lease must include a HUD-required tenancy addendum. If the landlord/owner does not use a standard lease for rental to unassisted tenants, the owner may use another form of lease, such as DHA's model lease. DHA will review the landlord/owner's lease to determine if the lease complies with state and local law. If DHA determines that the lease does not comply with state or local law, DHA will deny the approval of tenancy.

The term of the lease must be for at least one year. Upon the expiration of the lease, the landlord/owner may renew, refuse to renew the lease for "good cause", or refuse to renew the lease without good cause. If the landlord/owner refuses to renew the lease without good cause, DHA must provide the family with tenant-based voucher and remove the unit from the PBV HAP contract.

If the tenant and landlord/owner agree to any change in the lease, the change must be writing, and the owner must immediately give DHA a copy of all changes. The landlord/owner must notify the PHA in advance of any proposed change(s) in the lease regarding allocation of utility responsibility. This change must be approved by DHA. DHA must re-determine reasonable rent, in accordance to program requirements.

- 2) **Filling Vacancies**
The landlord/owner must promptly notify DHA of any vacancy or expected vacancy in a contract unit. DHA and the owner must make reasonable efforts to minimize the likelihood and length of any vacancy.
- 3) **Reduction in HAP Contract Units Due to Vacancies**
If any contract units have been vacant for 120 or more days since the landlord/owner have given notice to DHA, DHA may give notice to the landlord/owner amending the HAP contract to reduce the number of contract units by subtracting the number of units, based on bedroom size

(c) Tenant Screening

- 1) **DHA Responsibility**
DHA is not responsible or liable to the landlord/owner or any other person for the family's behavior or suitability for tenancy. DHA is responsible for determining eligibility based on applicant's income and arrest record.

DHA must provide the landlord/owner with the family's current and prior address (as shown in DHA's record) and the name(s) and address(es) (if known by DHA) of the family's current and previous landlords.

DHA may also provide the owner other information about the family, including: the tenancy history of family members or any drug related, violent criminal or other criminal activity by any family members.

DHA must provide the applicant a description of DHA policy on providing information to owners. DHA must also provide the same type of information to all owners.

- 2) The owner is responsible for screening and selection of the family to occupy the landlord/owner's unit. When screening families the landlord/owner may consider a family's background with respect to the following factors:
 - Payment of rent and utility bills;
 - Caring for a unit and premises;
 - Respecting the rights of other residents to the peaceful enjoyment of their housing;
 - Drug-related, or violent related, or other related criminal activity that is a threat to the health, safety, or property of others; and/or
 - Compliance with other essential conditions of tenancy.
- (d) Moves

1) Overcrowded, Under-Occupied, and Accessible Units

If DHA determines that a family is occupying a wrong size unit, based on the PHA's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, DHA must promptly notify the family and the landlord/owner of this determination and offer the family the opportunity to receive continued housing assistance in another unit.

If DHA offers the family a tenant-based voucher, DHA must terminate the housing assistance payments for a wrong-sized or accessible unit at the term of lease.

If DHA offers the family another form of assistance that is not a tenant-based voucher, and the family does not accept the offer, does not move-out of the PBV unit within a reasonable time as determined by DHA, or both, DHA must terminate the housing assistance payments for the unit at the expiration of a reasonable period determined by DHA.

2) Family Right to Move

The family may terminate the lease at any time after the first year of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of the notice to vacate to DHA. If the family opts to move with continued tenant-based assistance, the family must contact DHA to request the rental assistance prior to providing notice to terminate the lease.

If the family terminates the lease in accordance with these requirements, DHA is required to offer the family the opportunity for continued tenant-

based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of the family's lease in the PBV unit, DHA must give the family priority to receive the next available opportunity for continued tenant-based assistance.

If the family terminates the lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

(e) Tenancy/Terminations

The landlord/owner will follow HUD regulations regarding assisted tenancy and terminations.

(f) Utility Allowances

The utility allowance schedule used for the PBA Program will be the same as is used for the Section 8 Housing Choice Voucher Program. Revised schedules will be implemented at the time of client re-examination.

(g) New Admissions

Seventy-five (75) percent of new admissions will be at or below 30% of the area median income.

12.7 Determining Rent to Owner

The amount of the initial rent to an owner of units receiving PBV assistance is established at the beginning of the HAP contract term. Although for rehabilitated or newly constructed housing, the agreement to enter into HAP contract states the estimated amount of the initial rent to owner, the actual amount of the initial rent to owner is established at the beginning of the HAP contract term.

During the term of the HAP contract the rent to owner is re-determined at the owner's request in accordance with program requirements, and at such time that there is a 5% or greater decrease in the published FMR.

If an owner wished to request an increase in rent, it must be requested at the annual anniversary of the HAP contract. The request must be in writing and submitted 60 days prior to the anniversary date of the HAP contract. DHA will not approve any rent increase of rent to owner until the HQS and rent reasonableness has been completed.

If there is a decrease in the rent to owner due to changes in the FMR or payment standards, or rent reasonableness, the rent to owner must be decreased.

Except for certain tax credit units [24 C.F.R. 983.301], the rent to owner must not exceed the lowest of the following amounts:

- An amount determined by DHA for the unit bedroom size minus any utility allowance;
- The reasonable rent, and
- The rent requested by the owner.

At the time of the initial rent is established and all times during the term of the HAP contract, the rent to owner for a contract unit may not exceed the reasonable rent for the unit as determined by DHA.

DHA will re-determine the reasonable rent for a unit receiving PBV assistance if:

- There is a 5% or greater decrease in the published FMR in effect 60 days before the contract anniversary as compared with the FMR that was in effect one year before the contract anniversary date;
- DHA approves a change in the allocation of responsibility for utilities between the owner and the tenant, and
- The HAP contract is amended to substitute a different contract unit in the same building.

12.8 Payments to Owner

(a) Housing Assistance Payments

DHA must make housing assistance payments to the owner in accordance with the terms of the HAP contract. The housing assistance payment will be paid to the owner on or about the first of the month for which payment is due. DHA will not make payment to the owner for any month after the month when the family moves out of the unit. The amount of the housing assistance payment is the rent to owner minus the tenant rent (total tenant payment minus the utility allowance). In order to receive housing assistance payments, the owner must comply with all provisions of the HAP contract.

If an assisted moves out of the unit, the owner may keep the housing assistance payment for the calendar month when the family moves out. Vacancy payments will not be made for vacant units under the DHA PBV Program.

(b) Tenant Rent to Owner

The tenant rent is the portion of the rent to owner paid by the family. The amount of tenant rent is determined by DHA in accordance with HUD requirement stated in Section 4.12. The owner may not demand or accept any rent payment from the tenant in excess of the tenant rent as determined by DHA. DHA is not responsible for paying tenant rent, or any other claim by the owner, including damage to the unit.

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of the City and County of Denver Capital Fund Program Number: CO06R00150104				Federal FY of Grant: 2004 Prepared : May 7, 2007			
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Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity (No. of Units)	Total Estimated Cost		Total Actual Cost	Status of Work
				Original	Revised		
Development 1499		1499		\$264,524	\$264,524		
Development	Subtotal			\$264,524	\$264,524		

2002 Capital Fund Total				\$264,524	\$264,524		
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Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Denver Housing Authority	Grant Type and Number CO06P00150104 Capital Fund Program Number Replacement Housing Factor No.	Federal FY of Grant: 2004 Prepared: May 3, 2007
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<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement Number
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: March 2007	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operation	\$615,301	\$0	\$0	\$0
3	1408 Management Improvements Soft Costs	\$1,105,000	\$658,659	\$658,659	\$612,842
	Management Improvements Hard Costs	\$120,000	\$96,558	\$96,558	\$94,198
4	1410 Administration	\$615,301	\$615,301	\$615,301	\$615,301
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$256,000	\$1,407,814	\$1,407,814	\$929,350
8	1440 Site Acquisition				
9	1450 Site Improvements	\$700,000	\$973,960	\$973,960	\$797,958
10	1460 Dwelling Structures	\$2,188,793	\$2,260,493	\$2,260,493	\$1,012,555
11	1465.1 Dwelling Equipment	\$0	\$5,627	\$5,627	\$1,845
12	1470 Nondwelling Structures	\$0	\$97,619	\$97,619	\$79,250
13	1475 Nondwelling Equipment	\$0	\$36,854	\$36,854	\$35,834
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$95,000	\$129	\$129	\$129
18	1499 Development Activities	\$121,000	\$0	\$0	\$0
19	1502 Contingency	\$336,619	\$0	\$0	\$0
	Amount of Annual Grant	\$6,153,014	\$6,153,014	\$6,153,014	\$4,179,262
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs	\$755,000			
	Amount Related to Security-Hard Costs	\$5,000			
	Amount Related to Energy Conservation	\$306,000			
	Collateralization Expenses or Debt Service				

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2004
Prepared: May 3, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001003 Central Office	Site Work	1450						504 Audit item
	Site Improvements-504 Compliance			\$0	\$675	\$675	\$675	
	Total Site Work			\$0	\$675	\$675	\$675	
	Dwelling Structures	1460						
	Construction Administration			\$0	\$583	\$583	\$583	
	Total Dwelling Structures			\$0	\$583	\$583	\$583	
	Non Dwelling Structures	1470						
	Mechanical Improvements			\$0	\$93,775	\$93,775	\$75,406	
	Total Non Dwelling Structures			\$0	\$93,775	\$93,775	\$75,406	
Central Office	Subtotal			\$0	\$95,033	\$95,033	\$76,664	
CO06P001003 Platte Valley	Dwelling Structures	1460	200					Work transferred from year 2006 of Agency Plan
	Vacancy Reduction			\$0	\$13,000	\$13,000	\$12,313	
	Total Dwelling Structures			\$0	\$13,000	\$13,000	\$12,313	
Platte Valley	Subtotal			\$0	\$13,000	\$13,000	\$12,313	
CO06P001005 Columbine Homes	Site Work	1450						
	Site Improvements			\$0	\$12,796	\$12,796	\$12,796	
	Total Site Work			\$0	\$12,796	\$12,796	\$12,796	
	Dwelling Structures							
	Weather Stripping			\$0	\$2,460	\$2,460	\$2,460	
	Vacancy Reduction	1460		\$0	\$163,753	\$163,753	\$20,900	
	Total Dwelling Structures			\$0	\$166,213	\$166,213	\$23,360	
Columbine Homes	Subtotal			\$0	\$179,009	\$179,009	\$36,156	
CO06P001006 Westridge Homes	Site Work	1450						Work transferred to year 2008 of Agency Plan
	Site Improvements			\$300,000	\$7,601	\$7,601	\$7,600	
	Total Site Work			\$300,000	\$7,601	\$7,601	\$7,600	
	Dwelling Structures							
	Vacancy Reduction	1460		\$0	\$35,800	\$35,800	\$31,115	
	Total Dwelling Structures			\$0	\$35,800	\$35,800	\$31,115	
Westridge Homes	Subtotal			\$300,000	\$43,401	\$43,401	\$38,715	
CO06P001007 Quigg Newton	Dwelling Structures	1460	380					Work transferred from year 2006 of Agency Plan
	Vacancy Reduction			\$0	\$41,670	\$41,670	\$41,670	
	Total Dwelling Structures			\$0	\$41,670	\$41,670	\$41,670	
Quigg Newton	Subtotal			\$0	\$41,670	\$41,670	\$41,670	
CO06P001008 Sun Valley	Site Work	1450	200					Work transferred from year 2010 of Agency Plan
	Irrigation			\$0	\$17,200	\$17,200	\$17,200	
	Site Improvements-Lights			\$0	\$3,287	\$3,287	\$3,287	
	Total Site Work			\$0	\$20,487	\$20,487	\$20,487	
	Dwelling Structures							
	Vacancy Reduction	1460	200	\$0	\$6,700	\$6,700	\$6,515	
	Total Dwelling Structures			\$0	\$6,700	\$6,700	\$6,515	
Sun Valley	Subtotal			\$0	\$27,187	\$27,187	\$27,002	

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

PHA Name: **The Housing Authority of the City and County of Denver** Federal FY of Grant: **2004**
 Prepared: **May 3, 2007**

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001010 South Lincoln	Site Work	1450	200					
	Trees			\$0	\$11,086	\$11,086	\$11,086	New work item added under 2006 Agency Plan
	Paving			\$0	\$6,390	\$6,390	\$6,390	
	Project Management Fees	\$0	\$7,687	\$7,687	\$7,687			
	Total Site Work			\$0	\$25,163	\$25,163	\$25,163	
Dwelling Structures	1460	200						
Vacancy Reduction			\$0	\$25,000	\$25,000	\$21,395		
Total Dwelling Structures			\$0	\$25,000	\$25,000	\$21,395		
South Lincoln	Subtotal			\$0	\$50,163	\$50,163	\$46,558	
CO06P001011 Westwood Homes	Site work	1450						
	Site improvements		\$250,000	\$0	\$0	\$0	Work funded under Capital Fund year 2002	
	Construction Administration		\$0	\$19,218	\$19,218	\$19,218		
	Install Playground	\$125,000	\$0	\$0	\$0			
	Total Site Work			\$375,000	\$19,218	\$19,218	\$19,218	
	Dwelling Structures	1460						
	Masonry Repairs		\$42,793	\$0			Work transferred from year 2009 of Agency Plan	
	Electrical Upgrades		\$40,000	\$0				
	Finish Carpentry		\$268,000	\$0				
	Interior Finish Work		\$99,000	\$0				
Vacancy Reduction	\$0		\$24,300	\$24,300	\$24,097			
Construction Administration	\$0		\$2,982	\$2,982	\$2,981			
Replace Appliances	\$290,000	\$0						
Total Dwelling Structures			\$739,793	\$27,282	\$27,282	\$27,078		
Non Dwelling Structures	1470							
Non Dwelling Structures		\$0	\$3,844	\$3,844	\$3,844			
Total Non Dwelling Structures			\$0	\$3,844	\$3,844	\$3,844		
Westwood Homes	Subtotal			\$1,114,793	\$50,344	\$50,344	\$50,140	
CO06P001014 Walsh Manor	Site Work	1450						
	Site Fence		\$0	\$13,270	\$13,270	\$13,270	Work transferred to year 2008 of Agency Plan	
	Total Site Work			\$0	\$13,270	\$13,270		\$13,270
	Dwelling Structures	1460						
504 Compliance	\$0		\$1,993	\$1,993	\$1,992			
Vacancy Reduction	\$0		\$9,000	\$9,000	\$8,787			
Total Dwelling Structures			\$0	\$10,993	\$10,993		\$10,779	
Walsh Manor	Subtotal			\$0	\$24,263	\$24,263	\$24,049	

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2004

Prepared: May 3, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work	
				Original	Revised				
CO06P001015 Hirschfeld	Dwelling Structures	1460						Work to be performed under Securitization project.	
	Haz Mat			\$50,000	\$0				
	Vacancy Reduction			\$0	\$2,200	\$2,200	\$1,303		
	Finish Carpentry			\$450,000	\$0				
	Interior Finish Work			\$250,000	\$0				
	Total Dwelling Structures			\$750,000	\$2,200	\$2,200	\$1,303		
Hirschfeld				\$750,000	\$2,200	\$2,200	\$1,303		
CO06P001016 Barney Ford	Dwelling Structures	1460						Work to be performed under Securitization	
	Vacancy Reduction			\$0	\$4,650	\$4,650	\$3,195		
	Contract Administration			\$0	\$0	\$0	\$0		
	Total Dwelling Structures			\$0	\$4,650	\$4,650	\$3,195		
Barney Ford				\$0	\$4,650	\$4,650	\$3,195		
CO06P001017 Mulroy	Site work	1450							
	Site improvements			\$25,000	\$11,950	\$11,950	\$11,950		
		Total Site Work		\$25,000	\$11,950	\$11,950	\$11,950		
	Dwelling Structures	1460							
	Mechanical Improvements			\$95,000	\$0				
	Electrical Upgrades			\$50,000	\$0				
	Replace Windows			\$250,000	\$0	\$0	\$0		
	Plumbing upgrades			\$15,000	\$0				
	Finish Carpentry			\$65,000	\$0				
	Vacancy Reduction			\$0	\$3,650	\$3,650	\$1,851		
Contract Administration			\$0	\$0	\$0	\$0			
Interior Finish Work		\$50,000	\$0						
	Total Dwelling Structures		\$525,000	\$3,650	\$3,650	\$1,851			
Mulroy	Subtotal		\$550,000	\$15,600	\$15,600	\$13,801			
CO06P001019 Dispersed	Site Work	1450	200					Work transferred from year 2010 of Agency Plan	
	Site Improvements-concrete				\$0	\$6,538	\$6,538		\$6,538
	Total Site Work			\$0	\$6,538	\$6,538	\$6,538		
Dispersed 19	Subtotal			\$0	\$6,538	\$6,538	\$6,538		
CO06P001020 Thomas Connole	Dwelling Structures	1460	200					Emergency-Radon mitigation in basement per City Environmental Clearance.	
	Vacancy Reduction				\$0	\$1,050	\$1,050		\$412
	Radon Mitigation				\$0	\$49,672	\$49,672		\$39,737
	Total Site Work			\$0	\$50,722	\$50,722	\$40,149		
Connole	Subtotal			\$0	\$50,722	\$50,722	\$40,149		

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2004
Prepared: May 3, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001021 Walsh Annex	Dwelling Structures	1460		\$0	\$141	\$141	\$141	Emergency AC replacement for elevator control room.
	504 Compliance			\$0	\$23,897	\$23,897	\$23,897	
	HVAC			\$0	\$24,038	\$24,038	\$24,038	
Walsh Annex	Total Dwelling Structures			\$0	\$24,038	\$24,038	\$24,038	
CO06P001022 Dispersed	Site Work	1450	200	\$0	\$27,758	\$27,758	\$27,758	Work transferred from year 2010 of Agency Plan
	Site Improvements-concrete			\$0	\$27,758	\$27,758	\$27,758	
	Total Site Work			\$0	\$27,758	\$27,758	\$27,758	
Dispersed 22	Total Site Work			\$0	\$27,758	\$27,758	\$27,758	
CO06P001024 Dispersed	Site Work	1450	200	\$0	\$16,860	\$16,860	\$16,860	Work transferred from year 2010 of Agency Plan
	Site Improvements-concrete			\$0	\$16,860	\$16,860	\$16,860	
	Total Site Work	1460		\$0	\$3,700	\$3,700	\$1,877	
	Dwelling Structures			\$0	\$3,700	\$3,700	\$1,877	
Dispersed 24	Total Dwelling Structures			\$0	\$3,700	\$3,700	\$1,877	
Dispersed 24	Total Site Work			\$0	\$20,560	\$20,560	\$18,737	
CO06P001025 Dispersed	Site Work	1450	200	\$0	\$14,834	\$14,834	\$14,834	Work transferred from year 2010 of Agency Plan
	Site Improvements-concrete			\$0	\$14,834	\$14,834	\$14,834	
	Total Site Work			\$0	\$14,834	\$14,834	\$14,834	
Dispersed 25	Total Site Work			\$0	\$14,834	\$14,834	\$14,834	
CO06P001026 Dispersed	Site Work	1450	200	\$0	\$7,361	\$7,361	\$7,361	Work transferred from year 2010 of Agency Plan
	Site Improvements-concrete			\$0	\$7,361	\$7,361	\$7,361	
	Total Site Work			\$0	\$7,361	\$7,361	\$7,361	
Dispersed 26	Total Site Work			\$0	\$7,361	\$7,361	\$7,361	
CO06P001029 Bean Tower	Site Work	1450	200	\$0	\$400,000	\$400,000	\$400,000	Work transferred from year 2003 of Agency Plan
	Site Improvements-Infrastructure			\$0	\$400,000	\$400,000	\$400,000	
	Total Site Work			\$0	\$400,000	\$400,000	\$400,000	
Bean Tower	Total Site Work			\$0	\$400,000	\$400,000	\$400,000	
CO06P001032 Dispersed	Site Work	1450	200	\$0	\$4,965	\$4,965	\$4,965	Work transferred from year 2010 of Agency Plan
	Site Improvements-concrete			\$0	\$4,965	\$4,965	\$4,965	
	Total Site Work			\$0	\$4,965	\$4,965	\$4,965	
Dispersed 32	Total Site Work			\$0	\$4,965	\$4,965	\$4,965	

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

PHA Name:
 The Housing Authority of the City and County of Denver

Federal FY of Grant: 2004

Prepared: May 3, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001039 Dispersed	Site Work	1450						
	Site Improvements		25	\$0	\$133,823	\$133,823	\$30,134	Work transferred from year 2003 of Agency Plan
	Total Site Work			\$0	\$133,823	\$133,823	\$30,134	
	Dwelling Structures	1460						
	Vacancy Reduction				\$0	\$1,000	\$1,000	\$845
	Building Insulation		25		\$0	\$27,600	\$27,600	\$1,151
	MEP				\$0	\$91,713	\$91,713	\$41,836
	Construction Administration				\$0	\$192,993	\$192,993	\$45,755
	Demolition				\$0	\$13,161	\$13,161	\$13,077
	Interior Finish Work				\$0	\$264,371	\$264,371	\$76,843
	Thermal & Moisture Protection				\$0	\$179,119	\$179,119	\$2,351
	Exterior painting				\$0	\$45,000	\$45,000	\$0
	HAVC				\$0	\$11,200	\$11,200	\$1,200
	Asbestos Abatement				\$0	\$21,500	\$21,500	\$0
Mold Abatement				\$0	\$14,772	\$14,772	\$8,848	
Total Dwelling Structures				\$0	\$862,429	\$862,429	\$191,906	
Dwelling Equipment		1465						
Ranges and Refrigerators					\$5,627	\$5,627	\$1,845	
Total Dwelling Equipment				\$0	\$5,627	\$5,627	\$1,845	
Dispersed 39	Subtotal			\$0	\$1,001,879	\$1,001,879	\$223,885	
CO06P001041 Dispersed	Site Work	1450	200					Work transferred from year 2010 of Agency Plan
Site Improvements-concrete				\$0	\$24,587	\$24,587	\$24,587	
Total Site Work				\$0	\$24,587	\$24,587	\$24,587	
Dispersed 41	Subtotal			\$0	\$24,587	\$24,587	\$24,587	
CO06P001042 Dispersed	Site Work	1450	200					Work transferred from year 2010 of Agency Plan
Site Improvements-concrete				\$0	\$95,874	\$95,874	\$23,563	
Total Site Work				\$0	\$95,874	\$95,874	\$23,563	
Dwelling Structures		1460						
MEP				\$0	\$84,000	\$84,000	\$6,137	
Construction Administration				\$0	\$68,387	\$68,387	\$2,696	
Finish Carpentry				\$0	\$50,000	\$50,000	\$9,022	
Thermal and Moisture Protection				\$0	\$86,000	\$86,000	\$0	
Drywall and Int/ext Painting				\$0	\$90,000	\$90,000	\$3,712	
Hazardous Materials Abatement				\$0	\$9,100	\$9,100	\$0	
Total Dwelling Structures				\$0	\$387,487	\$387,487	\$21,567	

Dispersed 42	Subtotal			\$0	\$483,361	\$483,361	\$45,130	
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**Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages**

PHA Name: The Housing Authority of the City and County of Denver	Federal FY of Grant: 2004 Prepared: May 3, 2007
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Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001043 Dispersed	Site Work	1450	15					Work transferred from year 2010 of Agency Plan
	Site Improvements-concrete			\$0	\$42,334	\$42,334	\$42,334	
	Total Site Work			\$0	\$42,334	\$42,334	\$42,334	
	Dwelling Structures	1460	15					
	MEP			\$0	\$9,952	\$9,952	\$3,179	
	Construction Administration			\$0	\$11,660	\$11,660	\$3,429	
	Selective Demolition			\$0	\$11,330	\$11,330	\$9,577	
Carpentry			\$0	\$16,769	\$16,769	\$22,886		
Drywall, Carpet and Int/ext Painting			\$0	\$7,548	\$7,548	\$4,806		
Total Dwelling Structures				\$0	\$57,259	\$57,259	\$43,877	
Dispersed 43	Subtotal			\$0	\$99,593	\$99,593	\$86,211	
CO06P001050 Dispersed	Site Work	1450						Fungability: work transferred from year 2010 of Agency Plan
	504 Compliance				\$12,191	\$12,191	\$12,191	
	Site Improvements-concrete			\$0	\$15,660	\$15,660	\$15,660	
	Total Site Work			\$0	\$27,851	\$27,851	\$27,851	
	Dwelling Structures	1460						
	Vacancy Reduction			\$0	\$44,250	\$44,250	\$40,459	
	Construction Administration			\$0	\$0	\$0	\$0	
Total Dwelling Structures				\$0	\$44,250	\$44,250	\$40,459	
Dispersed 50	Subtotal			\$0	\$72,101	\$72,101	\$68,310	
CO06P001051 Dispersed	Site Work	1450						Fungability: work transferred from year 2010 of Agency Plan
	Site Improvements-Tree Removal				\$7,248	\$7,248	\$7,248	
	Site Improvements-concrete			\$0	\$11,650	\$11,650	\$11,649	
	Total Site Work			\$0	\$18,898	\$18,898	\$18,897	
	Dwelling Structures	1460						
	Vacancy Reduction			\$0	\$71,700	\$71,700	\$51,175	
	Construction Administration			\$0	\$0	\$0	\$0	
Total Dwelling Structures				\$0	\$71,700	\$71,700	\$51,175	
Dispersed 51	Subtotal			\$0	\$90,598	\$90,598	\$70,072	
CO06P001070 Dispersed	Site work	1450						
	Site improvements-504 Compliance			\$0	\$4,223	\$4,223	\$4,223	
	Total Site Work			\$0	\$4,223	\$4,223	\$4,223	
	Dwelling Structures	1460						
	Vacancy Reduction			\$0	\$8,450	\$8,450	\$7,644	
	Construction Administration			\$0	\$0	\$0	\$0	
	Roofing			\$0	\$311,409	\$311,409	\$311,408	

	Total Dwelling Structures			\$0	\$319,859	\$319,859	\$319,052
Dispersed 70	Subtotal			\$0	\$324,082	\$324,082	\$323,275

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

PHA Name: **The Housing Authority of the City and County of Denver** Federal FY of Grant: **2004**
Prepared: **May 3, 2007**

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO6P001552 North Lincoln Mid-rise	Dwelling Structures Security Equip. Exterior Paint Expand Mid Rise Office HVAC Upgrades	1460		\$5,000 \$25,000 \$8,000 \$56,000	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	Work transferred to year 2010 of Agency Plan
	Total Dwelling Structures			\$94,000	\$0	\$0	\$0	
North Lincoln	Subtotal			\$94,000	\$0	\$0	\$0	
CO6P001553 North Lincoln Family	Site work Site improvements	1450		\$0	\$36,894	\$36,894	\$36,894	
	Total Site Work			\$0	\$36,894	\$36,894	\$36,894	
	Dwelling Structures Vacancy Reduction Construction Administration Site Signage Siding	1460		\$0 \$0 \$0 \$80,000	\$40,027 \$0 \$18,300 \$42,981	\$40,027 \$0 \$18,300 \$101,308	\$36,017 \$0 \$18,300 \$97,298	
	Total Dwelling Structures			\$80,000	\$101,308	\$101,308	\$97,298	
North Lincoln	Subtotal			\$80,000	\$138,202	\$138,202	\$134,192	
CO6P001000 Agency Wide	Dwelling Structures Emergency Roof Replacement	1460		\$0	\$0	\$0	\$0	As approved in HUD Field Office letter dated February 11, 2005; work reported by development
	Total Dwelling Structures			\$0	\$0	\$0	\$0	
Agency Wide	Subtotal			\$0	\$0	\$0	\$0	
1406 Operations	Operations	1406		\$615,301	\$0	\$0	\$0	
1406	Subtotal			\$615,301	\$0	\$0	\$0	
Management Improvement 1408 Soft Costs	Resident and Community Services Community Service Employment and Training Section 3 outreach Communication Self Sufficiency Bilingual Services MIP Activities PHAS Support Security-Walsh Annex Security	1408 1408		\$62,000 \$45,000 \$15,000 \$3,000 \$200,000 \$5,000 \$20,000 \$0 \$755,000	\$62,000 \$40,000 \$10,000 \$3,000 \$200,000 \$15,000 \$20,000 \$13,004 \$295,655	\$62,000 \$40,000 \$10,000 \$3,000 \$200,000 \$15,000 \$20,000 \$13,004 \$295,655	\$62,000 \$22,170 \$6,139 \$1,305 \$200,000 \$5,897 \$19,676 \$0 \$295,655	

MIP Soft Cost	Subtotal			\$1,105,000	\$658,659	\$658,659	\$612,842	
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: **The Housing Authority of the City and County of Denver**
Federal FY of Grant: **2004**
Prepared: **May 3, 2007**

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
1408 Hard Costs	MIP Activities Network Upgrades	1408		\$120,000	\$96,558	\$96,558	\$94,198	
MIP Hard Cost	Subtotal			\$120,000	\$96,558	\$96,558	\$94,198	
Administration 1410	Salaries of Modernization Staff, Administration, Clerks	1410		\$615,301	\$615,301	\$615,301	\$615,301	
1410	Subtotal			\$615,301	\$615,301	\$615,301	\$615,301	
Fees & Costs 1430	A&E Services South Lincoln Sun Valley Westwood Site Walsh Manor Hirschfeld Barney Ford Mulroy Thomas Connole Dispersed 51 Walsh Annex Central Warehouse 1309 Grant 504 Consultant-Legal	1430		\$256,000 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$237,688 \$30,633 \$230,569 \$4,192 \$384,737 \$1,277 \$128,662 \$3,961 \$4,455 \$311,572 \$2,675 \$2,000 \$65,393	\$0 \$237,688 \$30,633 \$230,569 \$4,192 \$384,737 \$1,277 \$128,662 \$3,961 \$4,455 \$311,572 \$2,675 \$2,000 \$65,393	\$0 \$227,151 \$20,019 \$182,077 \$4,192 \$318,922 \$1,276 \$88,008 \$3,960 \$4,455 \$38,085 \$2,675 \$2,000 \$36,530	
1430	Subtotal			\$256,000	\$1,407,814	\$1,407,814	\$929,350	
Non Dwelling Equip 1475	Copy Machines Computer Equipment	1475		\$0 \$0	\$14,303 \$22,551	\$14,303 \$22,551	\$14,303 \$21,531	
Non Dwelling Equip				\$0	\$36,854	\$36,854	\$35,834	
Relocation 1495	Dispersed 39	1495		\$95,000 \$0	\$0 \$129	\$0 \$129	\$0 \$129	
Relocation	Subtotal			\$95,000	\$129	\$129	\$129	
Development 1499	Development	1499		\$121,000	\$0	\$0	\$0	
Development	Subtotal			\$121,000	\$0	\$0	\$0	
Contingency 1502	May Not Exceed 8%	1502		\$336,619	\$0	\$0	\$0	
Contingency	Subtotal			\$336,619	\$0	\$0	\$0	

2004 Capital Fund Total	\$6,153,014	\$6,153,014	\$6,153,014	\$4,179,262	
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: Capital Fund Program No. CO06P00150104 Replacement Housing Factor No.						Federal FY of Grant: 2004
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CO06P001003 Central Office	September 2006		September 2006	September 2008			Fungability: Work transferred form year 2003 of Agency Plan
CO06P001005 Columbine Homes	September 2006		June 2006	September 2008			Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001006 Westridge Homes	September 2006		N/A	September 2008		N/A	Fungability: Worek transferred to year 2008 of Agency Plan
CO06P001008 Quigg Newton	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2008 of Agency Plan
CO06P001008 Sun Valley	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001010 South Lincoln	September 2006		November 2005	September 2008			A&E Services
CO06P001011 Westwood Homes	September 2006		September 2006	September 2008		March 2007	
CO06P001015 Hirschfeld Tower	September 2006		September 2006	September 2008			
CO06P001017 Mulroy	September 2006		September 2006	September 2008			
CO06P001019 Dispersed	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001022 Dispersed	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001024 Dispersed	September 2006		June 2006	September 2008			Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001025 Dispersed	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001026 Dispersed	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P001029 Bean Tower	September 2006		September 2006	September 2008		March 2007	Fungability: Worek transferred from year 2004 of Agency Plan
CO06P0032 Dispersed	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P0041	September		June	September		March	Fungability: Worek transferred from year 2010

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

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: Capital Fund Program No. CO06P00150104 Replacement Housing Factor No.						Federal FY of Grant: 2004
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CO06P0042 Dispersed	September 2006		June 2006	September 2008			Fungability: Worek transferred from year 2010 of Agency Plan
CO06P0043 Dispersed	September 2006		June 2006	September 2008			Fungability: Worek transferred from year 2010 of Agency Plan
CO06P0050 Dispersed	September 2006		June 2006	September 2008		March 2007	Fungability: Worek transferred from year 2010 of Agency Plan
CO06P0051 Dispersed	September 2006		June 2006	September 2008			Fungability: Worek transferred from year 2010 of Agency Plan
CO6P001552 North Lincoln (Mid-rise)	September 2006		November 2005	September 2008		December 2005	
CO6P001553 North Lincoln (Family)	September 2006		September 2006	September 2008		March 2007	
CO06P001000-70 Agency Wide	September 2006		November 2005	September 2008		March 2007	Emergency work as approved in HUD Field Office Letter dated February 11, 2005

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number Capital Fund Program No. COO6R00150105 Replacement Housing Factor No.	Federal FY of Grant: 2005 Prepared: May 7, 2007
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<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: March 2007	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operation				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvements				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities	\$301,925	\$301,925	\$41,666	
19	1502 Contingency				

Amount of Annual Grant	\$301,925	\$301,925	\$41,666	
Amount Related to LBP Activities				
Amount Related to 504 Compliance				
Amount Related to Security-Soft Costs				
Amount Related to Security-Hard Costs				
Amount Related to Energy Conservation				
Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of the City and County of Denver Capital Fund Program Number: CO06R00150104				Federal FY of Grant: 2005 Prepared : May 7, 2007			
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Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity (No. of Units)	Total Estimated Cost		Total Actual Cost	Status of Work
				Original	Revised		
Development 1499		1499		\$301,925	\$301,925		
Development	Subtotal			\$301,925	\$301,925		

2002 Capital Fund Total				\$301,925	\$301,925		
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**Annual Statement/Performance and Evaluation Report
 Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
 Part III: Implementation Schedule**

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: CO06R00150105 Capital Fund Program No. Replacement Housing Factor No.						Federal FY of Grant: 2005 Prepared: March 7, 2007
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Housing Replacement Grant	August 2007	October 2007		August 2009	October 2009		HUD Field Office approval of Replacement Housing Fund Grant

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Denver Housing Authority	Grant Type and Number CO06P00150105 Capital Fund Program Number Replacement Housing Factor No.	Federal FY of Grant: 2005 Prepared: April 28, 2007
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<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement Number
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: March 2007	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operation	\$602,228	\$211,891	\$0	\$0
3	1408 Management Improvements Soft Costs	\$625,000	\$605,786	\$569,189	\$292,973
	Management Improvements Hard Costs	\$120,000	\$108,923	\$108,923	\$65,497
4	1410 Administration	\$602,228	\$574,208	\$574,208	\$464,411
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$56,000	\$835,883	\$584,689	\$156,480
8	1440 Site Acquisition				
9	1450 Site Improvements	\$250,000	\$1,855,919	\$22,515	\$22,515
10	1460 Dwelling Structures	\$3,669,000	\$1,450,800	\$1,251,522	\$307,328
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures	\$0	\$149,409	\$409	\$409
13	1475 Nondwelling Equipment	\$0	\$12,480	\$12,480	\$12,480
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$0	\$216,985	\$200,833	\$200,833
18	1499 Development Activities				
19	1502 Contingency	\$97,828	\$0	\$0	\$0
	Amount of Annual Grant	\$6,022,284	\$6,022,284	\$3,324,768	\$1,522,926
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs	\$275,000	\$275,000		
	Amount Related to Security-Hard Costs	\$5,000	\$5,000		
	Amount Related to Energy Conservation				
	Collateralization Expenses or Debt Service				

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2005
Prepared: April 28, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001003 Platte Valley	Dwelling Structures	1460	50	\$0				Fungability: Work transferred from year 2011 of Agency Plan under Securitization
	Roof Repairs			\$0	\$39,529	\$39,529		
	Total Dwelling Structures			\$0	\$39,529	\$39,529	\$0	
Platte Valley	Subtotal			\$0	\$39,529	\$39,529	\$0	
CO06P001005 Columbine Homes	Dwelling Structures	1460	200	\$0	\$409	\$409	\$409	In accordance with 24 CFR 990 5.0
	Project Administration							
	Total Dwelling Structures			\$0	\$409	\$409	\$409	
Columbine Homes	Subtotal			\$0	\$409	\$409	\$409	
CO06P001008 Sun Valley	Site Work	1450						Fungability: Work transferred from year 2010 of Agency Plan.
	Fences and Gates			\$0	\$19,500	\$0	\$0	
	Lawns and Grasses			\$0	\$80,500	\$0	\$0	
	Total Site Work			\$0	\$100,000	\$0	\$0	
	Dwelling Structures	1460	333					
	Window Replacement			\$0	\$100,000	\$0	\$0	
	Total Dwelling Structures			\$0	\$100,000	\$0	\$0	
Non Dwelling Structures	1470							
Plumbing Specialities (laundry Room)			\$0	\$149,000	\$0	\$0		
Total Non Dwelling Structures			\$0	\$149,000	\$0	\$0		
Sun Valley	Subtotal			\$0	\$349,000	\$0	\$0	
CO06P001010 South Lincoln	Site Work	1450	250	\$0				Project placed on hold pending city redevelopment plan.
	Site Improvements				\$0	\$0	\$0	
	Total Site Work			\$0	\$0	\$0	\$0	
South Lincoln	Subtotal			\$0	\$0	\$0	\$0	
CO06P001011 Westwood	Site Work	1450	189					Fungability: Work transferred from year 2010 of Agency Plan under Securitization
	Paving			\$0	\$5,800	\$5,799	\$5,799	
	Site Improvements (Sewage/Electrical)			\$0	\$1,701,799	\$0	\$0	
	Total Site Work			\$0	\$1,709,807	\$8,007	\$8,007	
	Non Dwelling Structures	1470	189					
	Project Administration			\$0	\$409	\$409	\$409	
Total Non Dwelling Structures			\$0	\$409	\$409	\$409		
Westwood Homes	Subtotal			\$0	\$1,710,216	\$8,416	\$8,416	

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2005
Prepared: April 28, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001014	Dwelling Structures	1460	100					In accordance with significant change definition in Agency Plan
	Roof Repairs			\$0	\$11,500	\$0	\$0	
Walsh Manor	Project Administration			\$0	\$1,800	\$1,800	\$1,800	
	Total Dwelling Structures			\$0	\$13,300	\$1,800	\$1,800	
Walsh Manor	Subtotal			\$0	\$13,300	\$1,800	\$1,800	
	Site Work	1450	250	\$250,000	\$0	\$0	\$0	Fungability: Work transferred to year 2006 of Agency Plan under Securitization
	Site Improvements							
	Total Site Work			\$250,000	\$0			
CO06P001015	Dwelling Structures	1460	250					
Hirschfeld	Full Modernization			\$3,669,000	\$0	\$0	\$0	
	Pre-Construction Services			\$0	\$38,869	\$0	\$0	
	Demolition			\$0	\$13,303	\$13,303	\$13,303	
	Field Sampling			\$0	\$10,030	\$0	\$0	
	Asbestos Removal			\$0	\$1,094,181	\$1,094,171	\$196,981	
	MEP							
	Total Dwelling Structures			\$3,669,000	\$1,156,383	\$1,107,474	\$210,284	
Hirschfeld	Subtotal			\$3,919,000	\$1,156,383	\$1,107,474	\$210,284	
CO06P001019	Site Work	1450	15					Fungability: Work transferred from year 2010 of Agency Plan under Securitization
Dispersed	Site Improvements			\$0	\$15,628	\$0	\$0	
	Total Site Work			\$0	\$15,628	\$0	\$0	
Dispersed 19	Subtotal			\$0	\$15,628	\$0	\$0	
CO06P001021	Dwelling Structures	1460	100					Costs associated with Securitization and CFFP application.
	Speciality Systems			\$0	\$7,475	\$7,475	\$0	
Walsh Annex	Pre-Construction Services			\$0	\$38,869	\$0	\$0	
	Total Dwelling Structures			\$0	\$46,344	\$7,475	\$0	
Walsh Annex	Subtotal			\$0	\$46,344	\$7,475	\$0	
CO06P001022	Site Work	1450	15					Fungability: Work transferred from year 2010 of Agency Plan under Securitization
Dispersed	Site Improvements				\$14,287	\$0	\$0	
	Total Site Work			\$0	\$14,287	\$0	\$0	
Dispersed 22	Subtotal			\$0	\$14,287	\$0	\$0	

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: **The Housing Authority of the City and County of Denver** Federal FY of Grant: **2005**
Prepared: April 28, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001039 Dispersed	Site Work Site Improvements	1450	45	\$0	\$13,697	\$13,696	\$13,696	Fungability: Work transferred from year 2006 of Agency Plan under Securitization
	Total Site Work			\$0	\$13,697	\$13,696	\$13,696	
	Dwelling Structures Full Modernization Haz Mat Abatement Demolition Carpentry Finish Work Mechanical Upgrades Electrical Upgrades Plumbing Upgrades	1460	45	\$0	\$94,835	\$94,835	\$94,835	
	Total Dwelling Structures			\$0	\$94,835	\$94,835	\$94,835	
Dispersed 39	Subtotal			\$0	\$108,532	\$108,531	\$108,531	
CO06P001553 North Lincoln Family	Site Work Site Improvements-Lighting	1450	15	\$0	\$2,500	\$812	\$812	Fungability: Work transferred from year 2010 of Agency Plan under Securitization
	Total Site Work			\$0	\$2,500	\$812	\$812	
North lincoln	Subtotal			\$0	\$2,500	\$812	\$812	
1406 Operations	Operations	1406		\$602,228	\$211,891	\$0	\$0	
1406	Subtotal			\$602,228	\$211,891	\$0	\$0	
Management Improvement 1408 Soft Costs	Resident and Community Services	1408						
	Community Service			\$62,000	\$62,000	\$62,000	\$52,631	
	Employment and Training			\$45,000	\$45,000	\$45,000	\$9,422	
	Section 3 outreach			\$15,000	\$15,000	\$0	\$0	
	Communication			\$3,000	\$3,000	\$0	\$0	
	Self Sufficiency			\$200,000	\$200,000	\$200,000	\$200,000	
	Bilingual Services			\$5,000	\$5,000	\$5,000	\$170	
MIP Activities PHAS Support Security		1408		\$20,000	\$18,597	\$0	\$0	
				\$275,000	\$257,189	\$257,189	\$30,750	
MIP Soft Cost	Subtotal			\$625,000	\$605,786	\$569,189	\$292,973	

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

PHA Name: The Housing Authority of the City and County of Denver	Federal FY of Grant: 2005 Prepared: April 28, 2007
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Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
1408	MIP Activities	1408						
Hard Costs	Network Upgrades			\$120,000	\$108,923	\$108,923	\$65,497	
MIP Hard Cost	Subtotal			\$120,000	\$108,923	\$108,923	\$65,497	
Administration	Salaries of Modernization	1410		\$602,228	\$574,208	\$574,208	\$464,411	
1410	Staff, Administration, Clerks							
1410	Subtotal			\$602,228	\$574,208	\$574,208	\$464,411	
	A&E Services	1430		\$56,000	\$0	\$0	\$0	
	Sun Valley Homes			\$0	\$8,937	\$8,937	\$8,936	
	Platte Valley			\$0	\$263	\$263	\$263	
	Columbine Homes			\$0	\$174,917	\$174,917	\$11,370	
	Westwood Homes			\$0	\$237,235	\$237,235	\$3,295	
Fees & Costs	Mulroy Apartments			\$0	\$66,549	\$12,852	\$11,352	
	Barney Ford			\$0	\$1,526	\$1,525	\$1,525	
1430	Walsh Manor			\$0	\$8,846	\$8,846	\$8,846	
	1309 Grant Street			\$0	\$17,400	\$17,400	\$17,400	
	Thomas Connole			\$0	\$4,650	\$3,151	\$3,151	
	North Lincoln			\$0	\$2,103	\$2,103	\$2,103	
	Walsh Annex			\$0	\$4,000	\$4,000	\$4,000	
	Agency Wide			\$0	\$4,706	\$4,706	\$4,706	
	Housing Management			\$0	\$8,913	\$8,913	\$8,913	
	777 Grant			\$0	\$0	\$0	\$0	
	Hirschfeld			\$0	\$295,838	\$99,841	\$70,620	
1430	Subtotal			\$56,000	\$835,883	\$584,689	\$156,480	

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

PHA Name: The Housing Authority of the City and County of Denver				Federal FY of Grant: 2005				
				Prepared: April 28, 2007				
Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
Non Dwelling 1475	Non Dwelling Equipment	1475		\$0	\$1,403	\$1,403	\$1,403	
				\$0	\$7,542	\$7,542	\$7,542	
				\$0	\$3,535	\$3,535	\$3,535	
Equipment	Subtotal			\$0	\$12,480	\$12,480	\$12,480	
Relocation 1495	Dispersed 39 Mulroy Walsh Hirschfeld	1495		\$0	\$1,720	\$1,720	\$1,720	
				\$0	\$3,495	\$3,494	\$3,494	
				\$0	\$13,922	\$13,922	\$13,922	
				\$0	\$197,848	\$181,697	\$181,697	
Relocation	Subtotal			\$0	\$216,985	\$200,833	\$200,833	
Contingency 1502	May Not Exceed 8%	1502		\$97,828	\$0	\$0	\$0	
Contingency	Subtotal			\$97,828	\$0	\$0	\$0	
2005Capital Fund Total				\$6,022,284	\$6,022,284	\$3,324,768	\$1,522,926	

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

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: Capital Fund Program No. CO06P00150105 Replacement Housing Factor No.						Federal FY of Grant: 2005 Prepared: April 28, 2007
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CO06P001003 Platte Valley	August 2007		May 2007	August 2009			
CO06P001005 Columbine Homes	August 2007			August 2009			
CO06P001008 Sun Valley	August 2007			August 2009			
CO06P001010 South Lincoln	August 2007			August 2009			
CO06P001011 Westwood	August 2007			August 2009			
CO06P001014 Walsh Manor	August 2007			August 2009			
CO06P001015 Hirschfeld Tower	August 2007			August 2009			
CO06P001019 Dispersed	August 2007			August 2009			
CO06P001019 Dispersed	August 2007			August 2009			
CO06P001022 Dispersed	August 2007			August 2009			
CO06P001039 Dispersed	August 2007		December 2006	August 2009		May 2007	
CO06P001553 North Lincoln Family	August 2007			August 2009			

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number Capital Fund Program No. COO6R00150106 Replacement Housing Factor No.	Federal FY of Grant: 2006 Prepared: October 30, 2006
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<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: September 30, 2006	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operation				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvements				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities	\$179,078	\$179,078		
19	1502 Contingency				

Amount of Annual Grant	\$179,078	\$179,078		
Amount Related to LBP Activities				
Amount Related to 504 Compliance				
Amount Related to Security-Soft Costs				
Amount Related to Security-Hard Costs				
Amount Related to Energy Conservation				
Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of the City and County of Denver Capital Fund Program Number: CO06R00150106				Federal FY of Grant: 2006 Prepared : October 30, 2006			
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Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity (No. of Units)	Total Estimated Cost		Total Actual Cost	Status of Work
				Original	Revised		
Development 1499		1499		\$179,078	\$179,078		
Development	Subtotal			\$179,078	\$179,078		

2006 Capital Fund Total				\$179,078	\$179,078		
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: CO06R00150106 Capital Fund Program No. Replacement Housing Factor No.						Federal FY of Grant: 2006 Prepared: October 30, 2006
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
Housing Replacement Grant	Original July 2008	Revised	Actual	Original July 2010	Revised	Actual	

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number Capital Fund Program No. COO6R00150206 Replacement Housing Factor No.	Federal FY of Grant: 2006 Prepared: October 30, 2006
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<input type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operation				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvements				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities	\$238,124	\$238,124		
19	1502 Contingency				

Amount of Annual Grant	\$238,124	\$238,124		
Amount Related to LBP Activities				
Amount Related to 504 Compliance				
Amount Related to Security-Soft Costs				
Amount Related to Security-Hard Costs				
Amount Related to Energy Conservation				
Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of the City and County of Denver Capital Fund Program Number: CO06R00150206				Federal FY of Grant: 2006 Prepared : October 30, 2006			
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Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity (No. of Units)	Total Estimated Cost		Total Actual Cost	Status of Work
				Original	Revised		
Development 1499		1499		\$238,124	\$238,124		
Development	Subtotal			\$238,124	\$238,124		

2002 Capital Fund Total				\$238,124	\$238,124		
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: CO06R00150206 Capital Fund Program No. Replacement Housing Factor No.					Federal FY of Grant: 2006 Prepared: October 30, 2006	
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
Housing Replacement Grant	Original July 2008	Revised	Actual	Original July 2010	Revised	Actual	

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Denver Housing Authority	Grant Type and Number CO06P00150106 Capital Fund Program Number Replacement Housing Factor No.	Federal FY of Grant: 2006 Prepared: June 8, 2006
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<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement Number
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
	Debt Setvice-Securitization	\$1,400,000	\$0		
1	Total non-CFP Funds				
2	1406 Operation	\$0			
3	1408 Management Improvements Soft Costs	\$400,000	\$400,000	\$0	\$0
	Management Improvements Hard Costs	\$75,000	\$75,000	\$0	\$0
4	1410 Administration	\$510,000	\$510,000	\$0	\$0
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$200,000	\$250,000	\$0	\$0
8	1440 Site Acquisition				
9	1450 Site Improvements	\$550,000	\$2,000,000		\$0
10	1460 Dwelling Structures	\$1,759,224	\$1,637,224		
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$78,000	\$100,000	\$0	\$0
18	1499 Development Activities				
19	1502 Contingency	\$150,000	\$301,331	\$0	\$0
	Amount of Annual Grant	\$5,122,224	\$5,273,555	\$0	\$0
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs				
	Amount Related to Security-Hard Costs				
	Amount Related to Energy Conservation				
	Collateralization Expenses or Debt Service				

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2006

Prepared: July 6, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001005 Columbine	Site Work	1450	200	\$550,000	\$2,000,000			
	Site Improvements							
	Total Site Work	1460	200	\$550,000	\$2,000,000			
	Dwelling Structures							
Full Modernization								
Haz Mat Abatement								
Carpentry								
Finish Work								
Mechanical Upgrades								
Electrical Upgrades								
Plumbing Upgrades								
Total Dwelling Structures			\$860,000	\$1,456,224				
Columbine	Subtotal			\$1,410,000	\$3,456,224	\$0	\$0	
CO06P001010 South Lincoln	Dwelling Structures	1460	200	\$718,224	\$0			
	Building Exteriors							
South lincoln	Total Dwelling Structures			\$718,224	\$0	\$0	\$0	
CO06P001553 North Lincoln Family	Dwelling Structures	1460	200	\$131,000	\$131,000			
	Replace Vinyl Flooring							
North lincoln	Total Dwelling Structures			\$131,000	\$131,000	\$0	\$0	
CO06P0010 Agency Wide	Dwelling Structures	1460		\$50,000	\$50,000			
	Vacancy Reduction							
Agency Wide	Total Dwelling Structures			\$50,000	\$50,000	\$0	\$0	
1406	Subtotal			\$50,000	\$50,000	\$0	\$0	
1406 Operations	Operations	1406		\$0				
1406	Subtotal			\$0	\$0	\$0	\$0	
1408 Hard Costs	MIP Activities			\$75,000	\$75,000			
MIP Hard Cost	Subtotal			\$75,000	\$75,000	\$0	\$0	

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2006

Prepared: July 6, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
Management Improvement 1408 Soft Costs	Resident and Community Services	1408						
	Community Service			\$62,000	\$62,000			
	Employment and Training			\$45,000	\$45,000			
	Section 3 outreach			\$15,000	\$15,000			
	Communication	1408		\$3,000	\$3,000			
	Self Sufficiency			\$200,000	\$200,000			
	Bilingual Services			\$5,000	\$5,000			
	PHAS Support			\$20,000	\$20,000			
Security		\$50,000	\$50,000					
MIP Soft Cost	Subtotal			\$400,000	\$400,000	\$0	\$0	
Administration 1410	Salaries of Modernization Staff, Administration, Clerks	1410		\$510,000	\$510,000			
1410	Subtotal			\$510,000	\$510,000	\$0	\$0	
Fees & Costs 1430	A&E Services	1430		\$200,000	\$250,000			
1430	Subtotal			\$200,000	\$250,000	\$0	\$0	
Relocation 1495		1495		\$78,000	\$100,000			
Relocation	Subtotal			\$78,000	\$100,000	\$0	\$0	
Contingency 1502	May Not Exceed 8%	1502		\$150,000	\$301,331			
Contingency	Subtotal			\$150,000	\$301,331	\$0	\$0	
Debt Service	Debt Service Payments from Securitization			\$1,400,000	\$0			
Debt Service	Subtotal			\$1,400,000	\$0	\$0	\$0	
2006 Capital Fund Total				\$5,122,224	\$5,273,555	\$0	\$0	

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

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: Capital Fund Program No. CO06P00150106 Replacement Housing Factor No.						Federal FY of Grant: 2006 Prepared: June 8, 2006
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CO06P001005 Columbine	September 2008			September 2010			
CO06P001553 North Lincoln	September 2008			September 2010			
CO06P001000 Agency Wide	September 2008			September 2010			

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Denver Housing Authority	Grant Type and Number CO06P00150107 Capital Fund Program Number Replacement Housing Factor No.	Federal FY of Grant: 2007 Prepared: August 31, 2007
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<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement Number
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
	Debt Setvice-Securitization	\$1,400,000	\$1,157,488		
1	Total non-CFP Funds				
2	1406 Operation	\$0			
3	1408 Management Improvements Soft Costs	\$350,000	\$200,000	\$0	\$0
	Management Improvements Hard Costs	\$120,000	\$120,000	\$0	\$0
4	1410 Administration	\$590,000	\$559,000	\$0	\$0
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$256,000	\$200,000	\$0	\$0
8	1440 Site Acquisition				
9	1450 Site Improvements	\$525,000	\$525,000	\$0	\$0
10	1460 Dwelling Structures	\$2,102,000	\$1,826,776		
11	1465.1 Dwelling Equipment				\$0
12	1470 Nondwelling Structures	\$329,000	\$852,051	\$0	\$0
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$78,000	\$78,000	\$0	\$0
18	1499 Development Activities				
19	1502 Contingency	\$150,000	\$72,811	\$0	\$0
	Amount of Annual Grant	\$5,900,000	\$5,591,126	\$0	\$0
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs				
	Amount Related to Security-Hard Costs				
	Amount Related to Energy Conservation				
	Collateralization Expenses or Debt Service				

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

PHA Name: The Housing Authority of the City and County of Denver				Federal FY of Grant: 2007 Prepared: August 31, 2007				
Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001011 Westwood	Site Work Site Improvements	1450	200	\$350,000	\$350,000			
	Total Site Work			\$350,000	\$350,000	\$0	\$0	
	Dwelling Structures Full Modernization in accordance with architectural drawings and specification. Scope will vary by unit.	1460	200	\$550,000	\$550,000			
	Total Dwelling Structures			\$550,000	\$550,000	\$0	\$0	
	Non Dwelling Structures Community Cneter Renovation/Construction	1470		\$329,000	\$852,051			
	Total Non Dwelling Structures			\$329,000	\$852,051	\$0	\$0	
Westwood	Subtotal			\$1,229,000	\$1,752,051	\$0	\$0	
CO06P001014 Walsh Manor	Site Work Resurface parking lot	1450	200	\$50,000	\$50,000			
	Total Site Work			\$50,000	\$50,000	\$0	\$0	
Walsh Manor				\$50,000	\$50,000	\$0	\$0	
CO06P001005 Columbine Homes	Dwelling Structures Full Modernization	1460	200	\$819,000	\$543,776			
	Total Dwelling Structures			\$819,000	\$543,776			
Columbine Homes	Subtotal			\$819,000	\$543,776	\$0	\$0	
CO06P001043 Dispersed	Site Work Site Improvements	1450		\$75,000	\$75,000	\$0	\$0	
	Total Site Work			\$75,000	\$75,000	\$0	\$0	
	Dwelling Structures Full Modernization in accordance with architectural drawings and specification. Scope will vary by unit.	1460	34	\$425,000	\$425,000	\$0	\$0	
	Total Dwelling Structures			\$425,000	\$425,000	\$0	\$0	
Dispersed 43	Subtotal			\$500,000	\$500,000	\$0	\$0	

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

PHA Name: The Housing Authority of the City and County of Denver				Federal FY of Grant: 2007 Prepared: August 31, 2007				
Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001044 Dispersed	Site Work Site Improvements	1450		\$50,000	\$50,000	\$0	\$0	
	Total Site Work			\$50,000	\$50,000	\$0	\$0	
	Dwelling Structures Full Modernization in accordance with architectural drawings and specification. Scope will vary by unit.	1460	14	\$258,000	\$258,000	\$0	\$0	
	Total Dwelling Structures			\$258,000	\$258,000	\$0	\$0	
Dispersed 44	Subtotal			\$308,000	\$308,000	\$0	\$0	
CO06P0000 Agency Wide	Dwelling Structures Vacancy Reduction	1460		\$50,000	\$50,000			
	Total Dwelling Structures			\$50,000	\$50,000	\$0	\$0	
Agency Wide	Subtotal			\$50,000	\$50,000	\$0	\$0	
1406 Operations	Operations	1406		\$0				
1406	Subtotal			\$0	\$0	\$0	\$0	
Management Improvement 1408 Soft Costs	Resident and Community Services	1408						
	Homeworkership			\$62,000	\$49,000			
	Employment and Training			\$45,000	\$45,000			
	Section 3 outreach			\$15,000	\$15,000			
	Communication			\$3,000	\$3,000			
	Crime and Safety			\$150,000	\$8,000			
	Bilingual Services			\$5,000	\$10,000			
	MIP Activities	1408						
	PHAS Support			\$20,000	\$20,000			
	Security			\$50,000	\$50,000			
MIP Soft Cost	Subtotal			\$350,000	\$200,000	\$0	\$0	
1408 Hard Costs	MIP Activities Network Upgrades			\$120,000	\$120,000			
MIP Hard Cost	Subtotal			\$120,000	\$120,000	\$0	\$0	
Administration 1410	Salaries of Modernization Staff, Administration, Clerks	1410		\$590,000	\$559,000			
1410	Subtotal			\$590,000	\$559,000	\$0	\$0	

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

PHA Name: The Housing Authority of the City and County of Denver				Federal FY of Grant: 2007 Prepared: August 31, 2007				
Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
Fees & Costs 1430	A&E Services Energy Audit	1430		\$200,000 \$56,000	\$200,000			
1430	Subtotal			\$256,000	\$200,000	\$0	\$0	
Relocation 1495		1495		\$78,000	\$78,000			
Relocation	Subtotal			\$78,000	\$78,000	\$0	\$0	
Contingency 1502	May Not Exceed 8%	1502		\$150,000	\$72,811			
Contingency	Subtotal			\$150,000	\$72,811	\$0	\$0	
Debt Service	Debt Service Payments from Securitization			\$1,400,000	\$1,157,488			
Debt Service	Subtotal			\$1,400,000	\$1,157,488	\$0	\$0	
2007 Capital Fund Total				\$5,900,000	\$5,591,126	\$0	\$0	

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

PHA Name: Housing Authority of the City and County of Denver		Grant Type and Number: Capital Fund Program No. CO06P00150107 Replacement Housing Factor No.					Federal FY of Grant: 2007 Prepared: August 31, 2007	
Development Number Name/HA-Wide Activities		All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
		Original	Revised	Actual	Original	Revised	Actual	
CO06P001005 Columbine		September 2009			September 2011			
CO06P001011 Westwood		September 2009			September 2011			
CO06P001014 Walsh Manor		September 2009			September 2011			
CO06P001043 Dispersed		September 2009			September 2011			
CO06P001044 Dispersed		September 2009			September 2011			
CO06P001000 Agency Wide		September 2009			September 2011			

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number Capital Fund Program No. COO6R00150207 Replacement Housing Factor No.	Federal FY of Grant: 2007 Prepared: August 31, 2007
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<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operation				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
4	1410 Administration		\$24,800		
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvements				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities	\$238,124	\$223,216		
19	1502 Contingency				
<hr/>					
	Amount of Annual Grant	\$238,124	\$248,016		
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs				
	Amount Related to Security-Hard Costs				
	Amount Related to Energy Conservation				
	Collateralization Expenses or Debt Service				

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name: Housing Authority of the City and County of Denver Capital Fund Program Number: CO06R00150206				Federal FY of Grant: 2007 Prepared : August 31, 2007			
Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity (No. of Units)	Total Estimated Cost		Total Actual Cost	Status of Work
				Original	Revised		
Administration 1410	Salaries of Modernization Staff, Administration, Clerks	1410		\$0	\$24,800		
1410	Subtotal			\$0	\$24,800	\$0	\$0
Development 1499		1499		\$238,124	\$223,216		
Development	Subtotal			\$238,124	\$223,216		
2002 Capital Fund Total				\$238,124	\$248,016	\$0	

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

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: CO06R00150206 Capital Fund Program No. Replacement Housing Factor No.						Federal FY of Grant: 2007 Prepared: August 31, 2007
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Housing Replacement Grant	September 2009			September 2011			

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part I: Summary

PHA Name: Denver Housing Authority	Grant Type and Number CO06P00150106 Capital Fund Program Number Replacement Housing Factor No.	Federal FY of Grant: 2008 Prepared: July 8, 2007
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<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement Number
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
	Debt Setvice-Securitization	\$1,157,488	\$0		
1	Total non-CFP Funds				
2	1406 Operation	\$0			
3	1408 Management Improvements Soft Costs	\$200,000	\$0	\$0	\$0
	Management Improvements Hard Costs	\$120,000	\$0	\$0	\$0
4	1410 Administration	\$510,000	\$0	\$0	\$0
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$377,000	\$0	\$0	\$0
8	1440 Site Acquisition				
9	1450 Site Improvements	\$350,000	\$0		\$0
10	1460 Dwelling Structures	\$2,879,701	\$0		
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	\$78,000	\$0	\$0	\$0
18	1499 Development Activities				
19	1502 Contingency	\$227,811	\$0	\$0	\$0
	Amount of Annual Grant	\$5,900,000	\$0	\$0	\$0
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs				
	Amount Related to Security-Hard Costs				
	Amount Related to Energy Conservation				
	Collateralization Expenses or Debt Service				

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2008

Prepared: July 6, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001011 Westwood	Site Work	1450	198					
	Site Improvements			\$350,000				
	Total Site Work			\$350,000	\$0			
	Dwelling Structures	1460	198	\$2,829,701				
	Full Modernization							
	Haz Mat Abatement							
	Carpentry							
	Finish Work							
	Mechanical Upgrades							
	Electrical Upgrades							
	Plumbing Upgrades							
	Total Dwelling Structures			\$2,829,701	\$0			
Columbine	Subtotal			\$3,179,701	\$0	\$0	\$0	
CO06P0010 Agency Wide	Dwelling Structures	1460		\$50,000				
	Vacancy Reduction							
	Total Dwelling Structures			\$50,000	\$0	\$0	\$0	
Agency Wide	Subtotal			\$50,000	\$0	\$0	\$0	
1406 Operations	Operations	1406		\$0				
1406	Subtotal			\$0	\$0	\$0	\$0	
1408 Hard Costs	MIP Activities							
	Network Upgrades			\$120,000				
MIP Hard Cost	Subtotal			\$120,000	\$0	\$0	\$0	
Management Improvement 1408 Soft Costs	Resident and Community Services	1408						
	Homeownership			\$49,000				
	Employment and Training			\$45,000				
	Section 3 outreach			\$15,000				
	Communication			\$3,000				
	Crime and Safety			\$8,000				
	Bilingual Services			\$10,000				
	PHAS Support	1408		\$20,000				
	Security			\$50,000				
MIP Soft Cost	Subtotal			\$200,000	\$0	\$0	\$0	

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: 2008

Prepared: July 6, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
Administration 1410	Salaries of Modernization Staff, Administration, Clerks	1410		\$510,000				
1410	Subtotal			\$510,000	\$0	\$0	\$0	
Fees & Costs 1430	A&E Services	1430		\$377,000				
1430	Subtotal			\$377,000	\$0	\$0	\$0	
Relocation 1495		1495		\$78,000				
Relocation	Subtotal			\$78,000	\$0	\$0	\$0	
Contingency 1502	May Not Exceed 8%	1502		\$227,811				
Contingency	Subtotal			\$227,811	\$0	\$0	\$0	
Debt Service	Debt Service Payments from Securitization			\$1,157,488	\$0			
Debt Service	Subtotal			\$1,157,488	\$0	\$0	\$0	
2006 Capital Fund Total				\$5,900,000	\$0	\$0	\$0	

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

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: Capital Fund Program No. CO06P00150106 Replacement Housing Factor No.						Federal FY of Grant: 2008 Prepared: July 8, 2007
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CO06P001011 Westwood	September 2010			September 2012			
CO06P001000 Agency Wide	September 2010			September 2012			

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages-Work Activities

PHA Name The Housing Authority of the City and County of Denver				<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision Number One					
Development Name/HA-Wide	Year One	Work Statement Year 2		Work Statement Year 3		Work Statement Year 4		Work Statement Year 5	
		FFY Grant: 2009 PHA FY: 2009	Est. Cost	FFY Grant: 2010 PHA FY: 2010	Est. Cost	FFY Grant: 2011 PHA FY: 2011	Est. Cost	FFY Grant: 2012 PHA FY: 2012	Est. Cost
CO06P001003 Platte Valley						Replace Water Heaters \$70,000 Replace Roofs \$400,000 Site improvements/paving \$197,000		Site Lighting Landscaping	\$125,000
CO06P001003 Central Office		Interior Finish Work	\$20,000						
CO06P001005 Columbine Homes									
CO06P001006 Westridge		Roof Replacement Interior Modernization Mechanical Upgrades	\$2,112,000	Site Improvements	\$1,366,000				
CO06P001007 Quigg Nweton				Site Improvements Resurface Parking Lot	\$10,000	Mechanical Upgrades Replace Water Heaters	\$200,000		
CO06P001008/12 Sun Valley									
CO06P001010 South Lincoln						Site Improvements Mechanical Upgrades Replace Water Heaters	\$400,000 \$249,701	Site improvements	\$2,326,701
CO06P001011 Westwood Homes									
CO06P001014 Walsh Manor		Site lighting/Irrigation/ Landscaping	\$100,000	Site Improvements Resurface Parking Lot	\$50,000			HVAC Repairs	\$400,000
CO06P001015 Hirschfeld									
CO06P001016 Barney Ford		Resurface Parking Lot Site Improvements	\$50,000	Site lighting/Irrigation/ Landscaping	\$75,000			Replace HW Tanks	\$100,000

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages-Work Activities

PHA Name The Housing Authority of the City and County of Denver				<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision Number One					
Development Name/HA-Wide	Year One	Work Statement Year 2		Work Statement Year 3		Work Statement Year 4		Work Statement Year 5	
		FFY Grant: 2009 PHA FY: 2009	Est. Cost	FFY Grant: 2010 PHA FY: 2010	Est. Cost	FFY Grant: 2011 PHA FY: 2011	Est. Cost	FFY Grant: 2012 PHA FY: 2012	Est. Cost
CO06P001017 Mulroy									
CO06P001019 Dispersed									
CO06P001020 Thomas Connole				Site Improvements Resurface Parking Lot	\$50,000	Site Improvements Resurface Parking Lot	\$35,000		
CO06P001021 Walsh Annex									
CO06P001022 Dispersed									
CO06P001023 Dispersed									
CO06P001024 Dispersed									
CO06P001025 Dispersed									
CO06P001026 Dispersed									
CO06P001027 Dispersed									
CO06P001028 Dispersed									
CO06P001032 Dispersed									

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages-Work Activities

PHA Name The Housing Authority of the City and County of Denver				Original 5-Year Plan Revision Number One					
Development Name/HA-Wide	Year One	Work Statement Year 2		Work Statement Year 3		Work Statement Year 4		Work Statement Year 5	
		FFY Grant: 2009 PHA FY: 2009	Est. Cost	FFY Grant: 2010 PHA FY: 2010	Est. Cost	FFY Grant: 2011 PHA FY: 2011	Est. Cost	FFY Grant: 2012 PHA FY: 2012	Est. Cost
CO06P001039 Dispersed									
CO06P001041 Dispersed				Site Work Full Modernization Based on A&E PNA	\$456,000				
CO06P001042 Dispersed									
CO06P001043 Dispersed				Site Work Full Modernization Based on A&E PNA	\$648,000				
CO06P001044 Dispersed									
CO06P001049 Dispersed		Site Work Full Modernization Based on A&E PNA	\$469,701	Site Work Full Modernization Based on A&E PNA	\$469,701				
CO06P001050 Dispersed						Site Work Full Modernization Based on A&E PNA	\$1,400,000		
CO06P001051 Dispersed									
CO06P001552 North Lincoln Mid-Rise									
CO06P001553 North Lincoln Family				Mechanical Upgrades Replace Water Heater	\$100,000				
CO06P001054 Dispersed South Lowell									
CO06P0010022 Dispersed NW Office									

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages-Work Activities

PHA Name The Housing Authority of the City and County of Denver				<input checked="" type="checkbox"/>		Original 5-Year Plan Revision Number One			
Development Name/HA-Wide	Year One	Work Statement Year 2		Work Statement Year 3		Work Statement Year 4		Work Statement Year 5	
		FFY Grant: 2009 PHA FY: 2009	Est. Cost	FFY Grant: 2010 PHA FY: 2010	Est. Cost	FFY Grant: 2011 PHA FY: 2011	Est. Cost	FFY Grant: 2012 PHA FY: 2012	Est. Cost
CO06P00100 Agency Wide									
CO06P00100 Agency Wide		Vacancy Reduction	\$50,000	Vacancy Reduction	\$50,000				
1406 Operations		Operations	\$0	Operations	\$0	Operations	\$0	Operations	\$0
Management Improvement 1408 Soft Costs		Homeownership	\$49,000	Homeownership	\$49,000	Homeownership	\$49,000	Homeownership	\$49,000
		Employment and Training	\$45,000						
		Section 3 outreach	\$15,000						
		Communication	\$3,000	Communication	\$3,000	Communication	\$3,000	Communication	\$3,000
		Crime & Safety	\$8,000						
		Bilingual Services	\$10,000						
		PHAS Support	\$20,000						
		Security	\$50,000	Security	\$50,000	Security	\$50,000	Security	\$50,000
1408 Hard Costs		Network Upgrades	\$120,000						
1410 Administration		Salaries of Modernization Staff, Admin, Clerks	\$510,000						
Fees & Costs 1430		A&E Fees Energy Audit	\$500,000	A&E Fees Energy Audit	\$177,000	A&E Fees Energy Audit	\$300,000	A&E Fees Energy Audit	\$300,000
Demolition 1485									
Relocation 1495			\$78,000		\$78,000		\$78,000		\$78,000
Development 1499			\$0		\$0		\$0		\$0
Contingency 1502			\$160,000		\$10,000		\$210,000		\$210,000
Debt Service Securitization		Annual Debt Service	\$1,157,488						
		Additional Securitization Sun Valley	\$372,811						
Capital Fund Total			\$5,900,000		\$5,900,000		\$5,900,000		\$5,900,000

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

Part I: Summary

PHA Name: Denver Housing Authority	Grant Type and Number CO06P001 Capital Fund Program Number Replacement Housing Factor No.	Federal FY of Grant: CFFP Proceeds Prepared: July 8, 2007
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<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserved for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement Number
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
	Securitization Costs: Bonding & Underwriting	\$573,671			
1	Total non-CFP Funds				
2	1406 Operation				
3	1408 Management Improvements Soft Costs				
	Management Improvements Hard Costs				
4	1410 Administration	\$0			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$0			
8	1440 Site Acquisition				
9	1450 Site Improvements	\$1,106,484			
10	1460 Dwelling Structures	\$14,619,845			
11	1465.1 Dwelling Equipment				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1502 Contingency				
	Amount of Annual Grant	\$16,300,000	\$0	\$0	\$0
	Amount Related to LBP Activities				
	Amount Related to 504 Compliance				
	Amount Related to Security-Soft Costs				
	Amount Related to Security-Hard Costs				
	Amount Related to Energy Conservation				
	Collateralization Expenses or Debt Service				

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: Capital Fund Financing Proceeds

Prepared: July 8, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001015 Hirschfeld	Site Work	1450	209	\$613,754	\$0	\$0	\$0	
	Site Improvements							
	Total Site Work			\$613,754	\$0	\$0	\$0	
	Dwelling Structures	1460	209	\$0	\$0	\$0	\$0	
	Full Modernization							
	Foundations							
	Structure							
	Asbestos Removal							
	Thermal & Moisture protection							
	Doors and Windows							
	Finishes							
Equipment								
Conveying Systems								
MEP								
Total Dwelling Structures			\$10,237,892	\$0	\$0	\$0		
Hirschfeld	Subtotal			\$10,851,646	\$0	\$0	\$0	
CO06P001017 Mulroy	Site Work	1450	50	\$250,365	\$0	\$0	\$0	
	Site Improvements							
	Total Site Work			\$250,365	\$0	\$0	\$0	
	Dwelling Structures	1460	50	\$0	\$0	\$0	\$0	
	Full Modernization							
	Pre-Construction Services							
	Demolition							
	Asbestos Removal							
	Thermal & Moisture protection							
	Doors and Windows							
	Finishes							
Equipment								
Conveying Systems								
MEP								
Total Dwelling Structures			\$1,035,219	\$0	\$0	\$0		
Mulroy	Subtotal			\$1,285,584	\$0	\$0	\$0	

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

PHA Name:
The Housing Authority of the City and County of Denver

Federal FY of Grant: Capital Fund Financing Proceeds

Prepared: July 8, 2007

Development Name/HA-Wide	General Description of Major Work Categories	Development Account No.	Quantity Units	Total Estimated Cost		Total Obligated	Total Expended	Status of Work
				Original	Revised			
CO06P001021 Walsh Annex	Site Work	1450	100	\$242,365	\$0	\$0	\$0	
	Site Improvements							
	Total Site Work			\$242,365	\$0	\$0	\$0	
	Dwelling Structures	1460	100	\$0	\$0	\$0	\$0	
	Full Modernization			\$0	\$0	\$0	\$0	
	Pre-Construction Services			\$0	\$0	\$0	\$0	
	Demolition			\$172,562	\$0	\$0	\$0	
	Asbestos Removal			\$59,985	\$0	\$0	\$0	
	Thermal & Moisture protection			\$345,698				
	Doors and Windows			\$758,485				
	Finishes			\$758,325				
Equipment			\$251,421					
Conveying Systems			\$54,358					
MEP			\$945,900					
Total Dwelling Structures			\$3,346,734	\$0	\$0	\$0		
Walsh Annex	Subtotal			\$3,589,099	\$0	\$0	\$0	
Administration 1430	A&E Fees Staff, Administration, Clerks	1430		\$0	\$0	\$0	\$0	
1430	Subtotal			\$0	\$0	\$0	\$0	
Administration 1410	Salaries of Modernization Staff, Administration, Clerks	1410		\$0	\$0	\$0	\$0	
1410	Subtotal			\$0	\$0	\$0	\$0	
Underwriting & Bonding Costs	Hirschfeld Walsh Mulroy			\$332,729 \$200,784 \$40,158				
1406	Subtotal			\$573,671	\$0	\$0	\$0	
Capital Fund Financing Proceeds				\$16,300,000	\$0	\$0	\$0	

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

PHA Name: Housing Authority of the City and County of Denver	Grant Type and Number: Capital Fund Program No. CO06P00 Replacement Housing Factor No.						Federal FY of Grant: CFFP Prepared: July 8, 2007
Development Number Name/HA-Wide Activities	All Funds Obligated- 24 Months (Quarter Ending Date)			All Funds Expended-48 Months (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
CO06P001015 Hirschfeld Towers	September 2009			September 2011			
CO06P001017 Mulroy Apartments	September 2009			September 2011			
CO06P001021 Walsh Annex	September 2009			September 2011			

**MANAGEMENT IMPROVEMENTS - OPERATIONS/MIS
COMPREHENSIVE GRANT PLAN
2008-2012**

PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) / ASSET MANAGEMENT

Problem: HUD has issued the Public Housing Assessment System that identifies reporting indicators that evaluate PHA's performance and rank the PHA's according to their evaluation. These changes along with the implementation of the QHWRA rules, the HUD 50058 reporting requirements and the new Asset Management requirements have made it necessary for DHA staff to further develop and/or enhance their current performance tracking systems.

Solution: Continue to refine the tracking systems to provide a continuous monitoring of the PHAS indicators.

Implementation:

- Review tracking programs and enhance software to provide better performance indicator tools Oct 2001/on-going

Budget:

Programming	\$18,000
Training	<u>2,000</u>
Total Budget	\$20,000

STORAGE AREA NETWORK (SAN)

Problem: DHA currently has multiple servers with various storage volumes and various backup methods. A demand for additional storage capacity for new applications and data archival has prompted the need to look for better means to manage storage. New technology including Storage Area Networks (SANS) will allow the data to be stored in a central storage system with redundancy for disaster recovery. The new technology will help simplify the current complex process of managing the network storage.

Solution: Issue an RFP to purchase and install a Storage Area Network.

Implementation:

- Identify hardware and software requirements for the Storage Area Network June, 2007
- Issue RFP Aug, 2007
- Review and award proposals Oct, 2007
- Install Storage Area Network and train technical staff Nov, 2007

Budget:

Salary (including benefits)	\$ 5,000
Storage Area Network System	100,000
Installation Services	10,000
Training	5,000
 Total budget	 \$120,000

SECURITY

Problem: The prevalent issues of resident security include vandalism, poor lighting and inadequate on-site after-hours security.

Solution: Reduce vandalism damage and control access to buildings, which will improve PHA living environment for seniors and disabled populations.

Implementation: Install close circuit monitoring systems to assist managers/PHA in securing and minimizing damages to buildings.

- Contract with on-site security service July 1998/on-going
- Install close circuit monitoring system and hire monitoring company June 2006/on-going

Budget:

Security Contract	\$50,000
Total Budget	\$50,000

**MANAGEMENT IMPROVEMENTS
CAPITAL FUND PLAN
2007 –2011**

The following Capital Fund Program (CFP) Implementation Plan addresses the resident related Management Improvement Program activities. The Management Improvement activities are interrelated and coordinated with all DHA Departments. All programming activities are developed, coordinated and implemented to sustain physical improvement at public housing developments. Maintenance and Long Term Occupancy have been identified as problem areas requiring 2007 MIP funding.

I. MAINTENANCE PROBLEMS AND SOLUTIONS:

HOMEOWNERSHIP OPPORTUNITIES

Problem: DHA resident population is comprised of a significant number of unemployed adults and drop-out youth which creates an ideal environment that does not lend itself to caring for units and pride in the development, which causes maintenance issues. Unnecessary call outs adds to increased maintenance costs. The number of call outs for non-existent, non-essential and preventative maintenance impact PHA cost, staff time, emergency, overtime, material and inventory costs

Solution: DHA will develop training programs to work with residents that emphasize an increase in responsibility and self sufficiency. These training programs will be offered at different sites throughout Denver to increase availability to residents. Homeownership opportunities will be offered to public housing residents to increase investment in the community.

Implementation:

- Coordination of resources to public housing residents
between local and city agencies July, 2007-June, 2008

- Conduct training on self sufficiency & homeownership
To increase investment in the community July, 2007-June, 2008

Problem: The high percentage of unemployed adults and drop-out youth living in developments creates an environment of discontent and causes maintenance issues. A lack of structured, healthy, positive alternatives contribute to PHA problems.

Solution: DHA will increase resident capacity building activities by providing credit repair, money management and homeownership training and assisting residents to increase resident responsibility.

Implementation:

- * Provide credit repair, budgeting, money management, income enhancement, savings plans for public housing residents July, 2007-June, 2008
- * Provide coordination of financial resources for low-moderate Income families working towards homeownership July, 2007-June, 2008

CRIME & SAFETY

Problem: A majority of Denver Housing Authority family developments and high rises are located in high risk neighborhoods. The factors identifying a high risk neighborhood include violent crime, drug and substance abuse, low educational attainment, high rates of teen pregnancy, and concentrations of minority populations. A growing recognition by agencies waging the war on poverty acknowledges that the causes of this severe social problem are varied and complex. The interaction of these high risk factors with one another can produce damaging effects and outcomes for families.

Solution: The Resident Councils Board Violence Task Force was created to ensure proper and expeditious action is taken by Denver Housing Authority and appropriate agencies on issues presented. In addition, the Violence Task Force collaborates with other government agencies and develops preventative measures to address crime and violence against residents and properties of Denver Housing Authority.

Implementation:

- * Provide informational classes for residents with access to safety & self defense July, 2007-June, 2008
- * Conduct Resident Training sessions on Local Group Organizing, Fire Safety, Drug Prevention and Intervention and safety issues July, 2007-June, 2008
- * Assist 20 resident councils with elections, Organization, and financial management July, 2007-June, 2008
- * Coordinate Violence Task Force Committee Activities and participation July, 2007-June, 2008
- * Supervision of Violence Task Force Hotline July, 2007-June, 2008

II. LONG TERM OCCUPANCY

CAREER & EMPLOYMENT ENHANCEMENT

Problem: Lack of opportunities for residents to move up and out of public housing hinders the ability of public housing residents to break the cycle of long term occupancy. Due to poor job training opportunities and lack of prior employment activities, public housing residents often have difficulty entering the job market at a living wage.

Solution: DHA will increase the number of residents participating in the Section 3 Program. DHA will increase coordination with the Mayor's Office of Workforce Development and Department of Human Services to coordinate programs to encourage participation of public housing residents. DHA will work with other community based organizations and employers to provide job opportunities to residents. DHA will work with the Mayor's Office of Workforce Development- One Stop Center to provide employment opportunities to residents.

Implementation:

- * Increase participation in Section 3 Program July, 2007-June, 2008
- * Conduct yearly job fair for residents July, 2007-June, 2008

SECTION 3 OUTREACH

Problem: Due to poor job training opportunities and lack of prior employment activities, public housing residents often have difficulty entering the job market at a living wage.

Solution: Coordinate Section 3 program and monitor compliance of contractors to develop and implement Section 3 plans to employ residents. Many of DHA's contractors can employ residents at a living wage through their Section 3 plan.

Implementation:

- * Monitor Section 3 compliance July, 2007-June, 2008

BI-LINGUAL SERVICES/COMMUNICATION

Problem: Families residing in DHA encompass a diverse cultural spectrum. These complex cultural dimensions affect activities that DHA engages in on a daily basis. The cultural and language differences create maintenance problems that are due to miscommunication or lack of knowledge.

Solution: By providing bi-lingual services (written and verbal), staff will be able to communicate more effectively with residents regarding lease requirements and unit upkeep. With more effective communication, residents and DHA staff can approach and solve problems more easily.

Implementation:

- * Provide translators for resident meetings July, 2007-June, 2008
- * Provide translation of resident literature July, 2007-June, 2008
- * Provide interdepartmental training and materials to increase knowledge of resident initiatives July, 2007-June, 2008

CAPITOL FUND					
MANAGEMENT IMPROVEMENTS	2007	2008	2009	2010	2011
Homeownership Opportunities					
Coordinate resources to public housing residents between local and city agencies	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Conduct training on self sufficiency & homeownership to increase investment in the community	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Provide credit repair, budgeting, money management, income enhancement, savings plans for PH residents	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Provide coordination of financial resources for low-moderate income families working towards homeownership	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000
Total Homeownership Opportunities	\$49,000	\$49,000	\$49,000	\$49,000	\$49,000
Crime & Safety					
Coordinate Violence Task Force Committee activities and participation	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000
Supervision of Violence Task Force Hotline	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Total Crime & Safety	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000
Employment and Training					
Increase participation in Section 3 Program	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Conduct yearly job fair for residents	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Total Employment and Training	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
Section 3 Outreach					
Monitor Section 3 Compliance	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Total Section 3 Outreach	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Communication					
Provide interdepartmental training and materials to increase knowledge of resident initiatives	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Total Communication	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
BiLingual Services					
Provide translators for Resident Meetings	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Provide translation for resident literature	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Total BiLingual Services	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Total Requested	\$130,000	\$130,000	\$130,000	\$130,000	\$130,000

Attachment 5

Housing Authority of the City and County of Denver Resident Advisory Board

<u>Resident</u>	<u>Position</u>	<u>Residence</u>
Melba Davis	Chairperson	North Lincoln Mid-Rise
Josie Escamilla	Vice-Chair	Mt. View/Eliot
Mary Brockman	Secretary	Walsh Manor
Pat Fontenot	Treasurer	Walsh manor
Bobbie Chambers	Sergeant-at-Arms	South Lincoln

ATTACHMENT 6

COMMENTS – PUBLIC HEARING

The Housing Authority of the City and County of Denver will hold a public hearing on October 3, 2007 @ 4:30 at the Central Office Building second floor Board Room located at 777 Grant Street

There were no public comments received during the review period or at the public hearing.

ATTACHMENT 7

Executive Summary

The Five-Year Plan incorporates DHA's mission statement regarding HUD programs, which we have adopted to guide the activities of DHA in the new millennium. Our mission statement is the same as HUD's mission statement and our goals and objectives will be implemented in a non-discriminatory fashion.

Attainment of Goals

DHA continues to attain the goals and objectives set forth in the Revised 2007 Annual Plan.

DHA is currently reexamining Goal One and developing new strategies to ensure the DHA maintains its high-performer status during the 2008 fiscal year. In addition, DHA is in the process of implementing HUD Asset Management requirements and will be compliant by January 1, 2008.

With respect to Goal Two, DHA continues to work closely with the Denver Police Department, which has resulted in the provision of safer developments.

In accordance with Goal Three, DHA continues to promote, support and provide self-sufficiency programs and increase the number of residents participating in its homeownership programs.

Regarding Goal Four, DHA continues to strive to ensure deconcentration in family developments and surrounding neighborhoods, including, but not limited to, DHA's mixed-income developments and utilization of scattered site housing.

Finally, Goal Five, DHA continues to pursue all avenues to restore, redevelop and rehabilitate public housing, including securitization of the Capital Fund and mixed-financed development opportunities. In addition, DHA will implement the HUD approved Energy Performance Contract.

The Agency Plan is based on the premise that if we accomplish our goals and objectives we will achieve DHA's and HUD's mission, while simultaneously addressing the housing needs of Denver's residents. The plans, statements, budget summary, policies, etc. set forth in the Annual Plan are the foundation upon which we will build to accomplish our stated goals and objectives. Taken as a whole, the aforementioned documents outline a

comprehensive approach towards meeting our mission and are consistent with the City and County of Denver's Consolidated Plan (Consolidated Plan)

In summary, we are furthering HUD's mission to improve the condition of affordable housing in the City and County of Denver.

Attachment 8

Component 10 (B) Voluntary Conversion Initial Assessments

- a. How many of the PHA's developments are subject to the Required Initial Assessments?

27

- b. How many of the PHA's developments are not subject to the Required Initial Assessments based on exemptions (e.g., elderly and/or disabled developments not general occupancy projects)?

8

- c. How many Assessments were conducted for the PHA's covered developments?

One assessment, including all covered developments.

- d. Identify PHA developments that may be appropriate for conversion based on the Required Initial Assessments: **None**

Development Name	Number of Units

- e. If the PHA has not completed the Required Initial Assessments, describe the status of these assessments.

N/A

ATTACHMENT 9

FAMILY HOUSING PET POLICY

REVISED AUGUST 2006

This policy was developed after weighing and balancing the interests of Denver Housing Authority's (DHA) tenants, DHA management and the communities surrounding DHA's developments and dispersed housing. In accordance with federal regulations, DHA will permit pet(s) in dwelling units in accordance with this policy. No exotic, wild or dangerous animals, snakes or any other animal not permitted in residential units by state or local laws, ordinances or this policy may be kept by tenants.

Conventional public housing tenants living in family housing are permitted to keep no more than 1 dog or 1 cat per unit. This policy does not apply to assistance animals that assist persons with disabilities. Individuals requiring an assistance animal must request a Reasonable Accommodation pursuant to the Reasonable Accommodation in Housing Guidelines ("RAHG"). Tenants of high-rises must comply with the Elderly/Disabled Pet Policy. Elderly tenants living in DHA family developments must comply with this Family Housing Pet Policy.

I. APPROVAL

A. Criteria Prior to Admittance

Request for permission to have a pet(s) must be submitted, and written approval from DHA must be received, PRIOR to admittance of pet(s) into the unit. The Tenant will be required to complete the following forms:

1. Pet Information (see Exhibit A)
2. Pet Agreement (see Exhibit B)
3. Veterinarian Certification (see Exhibit C)

The Tenant and DHA must enter into a “Pet Agreement” (Exhibit B). In addition, the Tenant must provide proof of the pet’s good health and suitability under the standards set forth in these rules and regulations. For dogs and cats, proof of the animal’s licensing and vaccination record, in accordance with state and local laws, etc., must be given to the development manager prior to the dog or cat being brought into the unit. The licensing and vaccinations must be renewed at the time of Tenant’s re-examination or at least annually. Cats and dogs must be neutered or spayed. Proof of spaying or neutering must also be submitted to the development manager before the pet is brought into the unit. Cats are required to have front paws declawed. All licenses and tags must be current.

B. Vaccination Requirements

Dogs and cats must have the proper inoculations required by law, and be certified by a veterinarian licensed to practice in the State of Colorado.

All Tenants shall attach a tag to the dog’s or cat’s collar showing that the animal has been inoculated with anti-rabies vaccine and has been properly licensed. The dog or cat shall wear the collar at all times.

II. DEFINITIONS

“Pet” shall mean a domestic and common household animal as defined under state and local law, rule, and ordinance, including dogs, cats, birds, fish, rabbits or rodents such as gerbil, hamster, or mouse. However, DHA does not permit tenants to own, possess or keep wild or dangerous animals, as determined by DHA in its sole and absolute discretion, or as defined in the Denver Revised Municipal Code, Section 8-2 (Keeping wild or dangerous animals prohibited). DHA does not permit tenants to own, possess or keep dangerous dogs, as determined by DHA in its sole and absolute discretion, or as defined in C.R.S. § 18-9-204.5. By way of example and not limitation, DHA considers any pit bull, Rottweiler, or mix including either of these breeds, to be dangerous animals and they are not permitted on DHA property. Common household pet shall not include ferrets, monkeys, snakes or other reptiles other than turtles.

“Assistance Animal” shall mean, an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability; or animals that provide emotional support that alleviate

one or more identified symptoms or effects of a person’s disability. Federal regulations require DHA to allow, as a reasonable accommodation, a qualified person with a disability to own and keep an “assistance animal” (also referred to as a service animal or companion animal) on DHA’s premises. An assistance animal is not considered a pet and therefore is not subject to DHA’s pet policies. All individuals requesting an assistance animal must request an accommodation, in compliance with the Reasonable Accommodations in Housing Guidelines, as modified from time to time.

“Dangerous dog” shall mean any dog with a known propensity or disposition to attack, to cause injury to or to otherwise endanger the safety of humans or other domestic animals, or any dog that attacks or bites any person or domestic animal, or is otherwise determined to be dangerous by DHA in its sole and absolute discretion, or as defined in C.R.S. § 18-9-204.5.

“DHA” shall mean the Housing Authority of the City and County of Denver, its commissioners, officers, employees, servants and agents.

“Excessive Noise” shall be defined as loud and persistent or habitual barking, howling or yelping.

“Family housing” shall mean Columbine Homes, Westridge Homes, Platte Valley, Quigg Newton Homes, Sun Valley Homes, South Lincoln Homes and Westwood Homes and all public housing dispersed units, including family public housing that may be developed, bought or acquired in the future.

“Common area” shall mean any area to which all tenants have access, and is not under the direct control of any individual tenant.

“Public area” shall mean any area to which the public has access, and is not under the direct control of any individual tenant.

“Running-at-large” shall be defined as:

- a) Not on the premises of the Tenant’s Dwelling Unit and not controlled through the use of a leash, cord, or chain held by the Tenant ; or
- b) On the premises of the Tenant, but confined in such a way as to allow the animal to have access to the public right-of-way.

III. PET DENSITY

- A. No more than one dog or one cat may be kept in any unit.
- B. No more than two small, caged birds may be kept in any unit.
- C. An aquarium for fish may not exceed ten (10) gallons.
- D. No more than two (2) small animals, i.e. gerbil or hamster, may be kept in any unit. Small animals must be kept in a cage at all times.

IV. SIZE

No pet's mature growth shall exceed 18 inches in height, measured from ground to shoulder, nor weigh more than 30 pounds.

V. PET DEPOSIT AND FEE

- A. A refundable pet deposit of \$100 will be charged for each dwelling unit where a dog or cat resides. The unused portion of the pet deposit will be refunded to the Tenant within a reasonable time, but not more than 60 calendar days after the Tenant moves from the development or no longer owns or has a pet present in the dwelling unit. DHA reserves the right to change this deposit amount at any time, consistent with federal guidelines.
- B. A non-refundable fee of \$50 will be charged for each dwelling unit where a dog or cat resides. The pet deposit and fee must be paid prior to the pet being brought into the unit.
- C. Tenant's liability for damages caused by his/her pet is not limited to the amount of the pet deposit and the Tenant will be required to reimburse DHA for the actual cost of any and all damages caused by his/her pet where they exceed the amount of the pet deposit.
- D. Upon move-out, units occupied by a cat or dog will be inspected by the development manager for any infestation or other damage resulting from the pet. If the unit is found to be infested, the extermination charge will be the responsibility of the Tenant. The charges shall be deducted from the pet deposit. If charges exceed the pet deposit, the Tenant will be billed for the excess amount, which Tenant must pay within 30 days of receipt of the bill. The Tenant is permitted, and encouraged, to be present for any and all inspections.

VI. PET RULES

A. Dogs, Cats and Other Animals

- 1. Dogs, cats and other animals shall be maintained within the Tenant's unit. When dogs or cats are outside of the unit, they shall be kept on a hand-held leash, cord or chain no longer than six (6) feet and under control at all times. Under no circumstances shall any dog, cat or other animal be permitted to run loose in any common area. A dog or cat shall be deemed running loose when it is on the premises of the Tenant, possessor or keeper, but is confined in such a way as to allow the dog or cat to have access to the public right of way, or is outside the unit and is not on a hand-held leash.
- 2. The unit must be kept free of odors and maintained in a clean and sanitary condition. All animal waste or litter from a cat litter box and cages must be removed daily and disposed of in sealed plastic trash bags and placed in the dumpsters. Under no circumstances should any waste be stored in the unit.

3. Tenant agrees to be responsible for immediately cleaning up any waste, dirt, etc. caused by their pet in the common area, public right of way, and their unit. Tenant shall also be responsible for immediately removing and properly disposing of any pet excreta, feces, urine, etc. Animal excrement shall be placed in a closed plastic bag or other closed or airtight nonporous container and disposed of immediately.
4. If DHA has to remove any pet waste from the Tenant's unit, yard, porch or other area, which is for the exclusive use of the Tenant or from the common areas, a twenty-five dollar (\$25) charge will be made per removal. Repeated violations, three (3) in a one year period, will necessitate the Tenant removing the pet permanently from the premises. Failure to comply may result in termination of the Tenant's Dwelling Lease.
5. DHA IS NOT RESPONSIBLE FOR ANY ACTION, INJURIES OR DAMAGES CAUSED BY ANY TENANT'S PET. A PET IS THE SOLE RESPONSIBILITY OF THE TENANT. DHA ASSUMES NO LIABILITY FOR FAILURE OF THE TENANT TO CONTROL THE PET. ANY INJURY OR HARM TO OTHER PERSONS, PETS OR PROPERTY IS THE SOLE RESPONSIBILITY AND LIABILITY OF THE TENANT. IT IS RECOMMENDED THAT TENANT PURCHASE LIABILITY INSURANCE FOR THIS PURPOSE.
6. Tenant agrees to control the noise of their pet(s) such that it does not constitute a nuisance to any other tenants, neighbors or people living in the immediate vicinity of the development or dispersed unit. Failure to control pet noise may result in the permanent removal of the pet from the premises. ANY PET WHICH CAUSES UNPROVOKED BODILY INJURY TO ANY TENANT, GUEST, STAFF MEMBER, NEIGHBOR OR ANYONE LAWFULLY ON THE PREMISES SHALL BE IMMEDIATELY AND PERMANENTLY REMOVED FROM THE PREMISES, BY THE PROPER AUTHORITIES WITHOUT PRIOR NOTIFICATION.
7. No dog or cat shall be left unattended in any unit for longer than twelve (12) hours. All other animals shall not be left unattended for more than twenty-four (24) hours.
8. Tenant shall provide adequate care, nutrition, exercise and medical attention for their pets. Pets which appear to be poorly cared for or which are left unattended for longer than the limits indicated in #7 above will be reported to the appropriate authority and removed from the premises at the Tenant's expense.
9. Tenant shall submit to the development office the names, addresses and telephone numbers of two responsible parties (not living at the same address) who will care for the pet if the Tenant, for any reason, is unable to care for the pet. In the event the person is unable or unwilling to accept responsibility, the Tenant authorizes DHA to contact state or local authorities, to enter the unit, remove the pet and place it with such authorities. DHA will inform the Tenant where the pet has been placed. Tenant will have to arrange for return of the pet. DHA will not be responsible for the well-being of the pet or any costs incurred, and all such charges will be paid by the Tenant.

10. In the event of the death of a pet, the pet must be disposed of pursuant to local ordinances. The Tenant shall not bury the pet on DHA property or dispose of it in any manner inconsistent with local ordinances.
11. In the event of the death of the pet while the Tenant is unable to care for the pet, the Tenant agrees that DHA shall have discretion to dispose of the pet consistent with state and local guidelines if the responsible parties listed on Exhibit A are unwilling to take responsibility, or if written instructions with respect to such disposal are not provided to the development office in advance by the Tenant. Charges for disposal shall be assessed to the Tenant as damages and will be deducted from the pet deposit.
12. Tenants acknowledge that other tenants may have chemical sensitivities or allergies related to pets and/or are easily frightened by such pets. The Tenant, therefore, agrees to exercise common sense and common courtesy with respect to the other tenant's right to peaceful and quiet enjoyment of the premises.

If using common laundry facilities, it is recommended that the Tenant run an additional wash cycle and clean out all filters before leaving the laundry room.

13. After proper written notification, DHA may require the removal of the pet from the premises on a permanent or temporary basis, in DHA's sole discretion, for the following reasons, by way of illustration not limitation:
 - a. Excessive pet noise or odor after being advised by DHA.
 - b. Unruly, intimidating or dangerous behavior.
 - c. Excessive damage of the Tenant's dwelling unit and/or development common areas and/or neighbor's property or property of people living in the immediate vicinity of the property.
 - d. Repeated problems with the pet or any infestation.
 - e. Failure of the Tenant to provide for adequate care of a pet.
 - f. Leaving a pet unattended for more than the allowed time period.
 - g. Failure of the Tenant to provide adequate and appropriate vaccination of the pet.
 - h. Tenant's death, serious illness and/or refusal to care for the pet.
 - i. Failure to properly clean up after the pet.
 - j. Violation of any federal law or regulation, municipal ordinance or local or state law.

Failure to remove the pet will result in a fine of \$50 per day and may result in termination of the Tenant's Dwelling Lease. After removal of a pet from the premises pursuant to this paragraph, DHA may determine on a case-by-case basis whether the removal of the pet will result in a permanent ban on pet ownership by the Tenant.

14. In the event of an emergency, the Tenant gives DHA permission to remove the pet or have it removed from the premises immediately for serious problems including, but not limited to, the following:
 - a. Pet becomes vicious.
 - b. Pet displays symptoms of serious illness.
 - c. Pet demonstrates other behavior that constitutes an immediate threat to the health and safety of a Tenant, guest, staff member, neighbor, other person authorized to be on the premises or people living in the immediate vicinity of the development.
15. With the exception of an assistance animal that assists a person with disabilities, pets of visitors/guests are strictly prohibited from entering DHA property.
16. "Pet sitting" is not permitted for any pet not already residing within the same development and meeting the requirements of this pet policy, state law, or local laws and ordinances. Specifically, Tenants may not provide "pet sitting" in their unit if it would result in the Tenant having more than the allowed number of pets in the unit.

B. Birds

1. Birds must be kept caged at all times.
2. Cages must be cleaned not less than twice a week. Waste must be disposed of in sealed trash bags and placed in the dumpster. Litter shall not be flushed down the toilet.

C. Fish

1. The aquarium shall not exceed ten (10) gallons and shall be placed on an appropriately sized stand in a safe location within the unit.
2. Water damage to walls, carpets, flooring or the ceiling of the unit below caused by breakage of or spillage from the aquarium shall be the responsibility of the Tenant who shall be billed for actual repair costs, as required.

D. Other Animals

1. Animals of the rodent family (i.e., hamsters and gerbils) must be kept caged at all times.
2. Cages must be kept clean.
3. Any other issues such as noise, odor and behavior apply the same as for dogs and cats.

VII. NOTIFICATION POLICY

In the event that any Tenant violates the pet rules set forth in paragraph VI above, DHA shall provide written notice of such violations as follows:

A. Creation of a Nuisance

The owner of any pet which creates a nuisance within, on or around the development and/or neighborhood or causes excessive noise, odor, running-at-large, unruly or dangerous behavior (as discussed below) shall be notified of such nuisance, in writing, by management and shall be given three (3) calendar days to correct such nuisance.

If any animal is found running-at-large on DHA property, DHA will call the municipal animal shelter/animal control to impound the animal pursuant to the Denver Revised Municipal Code. DHA may also catch any animal found running-at-large on DHA property and contract animal control to impound the animal.

Tenants shall not allow any pet to destroy, damage, or injure any shrubbery, plants, flowers, grass, lawn, fence or anything whatsoever upon the premises.

Failure to comply may result in removal of the pet and/or termination of the Tenant's Dwelling Lease. If the Tenant disagrees with such an action, they may request a hearing in accordance with the DHA Grievance Procedure.

B. Dangerous Behavior

1. DHA shall determine what behaviors are considered dangerous, in its sole and absolute discretion. DHA shall provide written notification to the Tenant of dangerous behavior and the Tenant shall have three (3) calendar days to correct the animal's behavior. It is the responsibility of the Tenant to correct the violation. Failure to comply may result in the removal of the pet and/or termination of the Tenant's Dwelling Lease. If the Tenant disagrees with such an action, they may request a hearing in accordance with the DHA Grievance Procedure.

2. Any pet which "attacks" any tenant, guest, staff member, neighbor or other person shall be immediately removed from the premises by DHA without prior written notice to the Tenant of the action and location of the pet. "Attack" shall mean violent or aggressive physical contact with a person or animal, or violent or aggressive behavior that confines the movement of a person, including, but not limited to, chasing, cornering, or encircling a person.

VIII. INSPECTION POLICY

A. DHA is hereby given permission to enter the Tenant's unit for the purpose of inspection if a signed written complaint is received by DHA, or if DHA feels the behavior or condition of the pet(s) or Tenant warrants same. The inspection will be made during reasonable hours, after proper notice has been given to the Tenant (48 hours' notice). In an emergency situation, entry will be made immediately. Notice will be given to the Tenant at such emergency entry, giving the reason for such entry.

B. Tenant must be available to physically control his/her pet during the times when DHA employees, agents of DHA or others must enter the unit to conduct housekeeping and

preventative maintenance inspections, provide services such as routine work orders or such other times identified in the lease.

AFFIDAVIT

I have read and understand the Family Housing Pet Policy, Pet Agreement, Pet Information and Veterinarian's Certificate of the Denver Housing Authority and agree to comply fully with their provisions. I understand that failure to comply may constitute reason for removal of my pet. If required by DHA to remove my pet from the premises, I agree to immediately remove any pet and I understand that my failure to do so may constitute grounds for eviction.

_____ Unit Number _____
Tenant

Tenant

Address

The above-named Tenant(s) has read and signed the rules in my presence.

DENVER HOUSING AUTHORITY

Title

EXHIBIT A
Pet Information – Dog/Cat

This document must be completely filled out and a side-view picture of the pet must be attached before submitting to management. Tenant must receive written approval from DHA before the pet is permitted on DHA premises and/or in the Dwelling Unit.

Name of Owner(s) _____

Address _____

Telephone Number (Work) _____ (Home) _____

Pet Description: Name _____

Breed _____

Age _____

When Full-Grown: Weight _____ Markings _____

Height _____

License No. _____ Tag Info. _____

Collar: Yes _____

Picture of Pet: Yes _____

If your pet is a cat, has it been declawed? Yes _____ No _____

Is dog/cat neutered/spayed? Yes _____ No _____

Veterinarian's Name _____

Address _____

Telephone Number _____

Parties to assume responsibility if you are unable to do so:

(1) Name(s) _____

Address _____

Telephone Number (Work) _____ (Home) _____

(2) Name(s) _____

Address _____

Telephone Number (Work) _____ (Home) _____

[END OF EXHIBIT A]

**EXHIBIT B
PET AGREEMENT**

This agreement is entered into this ____ day of _____ by and between the Housing Authority of the City and County Denver (DHA) and _____ (“Tenant”),

Print Name

collectively referred to as “the Parties.” In consideration of their mutual promises the Parties agree as follows:

1. Tenant desires and has received permission from DHA to keep the pet named _____ and described as _____ in the dwelling unit.
2. This Agreement is an Addendum to and is hereby incorporated by reference and made a part of as thought expressly written therein, to each and every Dwelling Lease executed between DHA and Tenant. In the event of default by Tenant of any of the terms of this Agreement and all succeeding leases, Tenant agrees, upon written notice of default from DHA to cure the default within the stated time and/or remove the pet and/or vacate the premises. Tenant agrees that DHA may revoke the permission to keep said pet on the premises at any time by giving Tenant written notice.
3. Tenant agrees to pay DHA a refundable deposit for cats and dogs in the amount of \$100. DHA may use this deposit as is reasonably necessary for any damages or cleaning caused by or in connection with said pet. At the termination of this Agreement, any balance shall be refunded within sixty (60) business days to the Tenant. Tenant agrees to pay DHA for any damages caused by the pet in excess of the security deposit on demand by DHA. Tenant also agrees to pay a non refundable fee of \$50.00. The total of \$150.00 must be paid prior to the pet being brought into the unit.
4. Tenant agrees to comply with:
 - a. The Family Pet Policy
 - b. All other applicable laws and regulations such as, but not limited to, licensing and all municipal ordinances and local and state laws regarding wild and/or dangerous animals.
5. Tenant represents that the pet is quiet and housebroken, and will not cause any damage to property or disturb other tenants’ peaceful and quiet enjoyment of the premises.
6. Tenant agrees that the pet will not be permitted outside the Tenant’s unit unless restrained by a leash, cord or chain no longer than six (6) feet. Use of the grounds or premises of DHA for toileting purposes is prohibited except as posted in areas specifically designated for such purposes.
7. Tenant shall not permit the pet to cause any damage, discomfort, annoyance, nuisance, or in any way to inconvenience or cause complaints from any other tenant, staff, or neighbor. Any soiling created by the pet shall be immediately cleaned up by Tenant. If DHA has to remove any waste from any pet, a twenty-five dollar (\$25) charge will be made. Repeated violations of this paragraph 7, defined as three (3) violations, will

necessitate removal of the pet permanently from the premises, and failure to comply may result in termination of the dwelling lease.

8. Tenant agrees to immediately remedy any emergency situations involving pet, as mandated by DHA (e.g., attack by pet on staff member, another tenant, or a guest). Tenant agrees to remedy any nuisance or dangerous behavior within three (3) calendar days.
9. Tenant shall be financially responsible for any flea or other insect infestation that affects his/her own or adjacent units caused by his/her pet.
10. Any pet left unattended for twelve (12) hours or more or whose health is jeopardized by the Tenant's neglect, mistreatment, or inability to care for the animal shall be reported to the appropriate authorities. Such circumstances shall be deemed an emergency for the purposes of DHA removing the animal from the dwelling unit and/or premises. DHA accepts no responsibility for any pet so removed.
11. Tenant agrees to maintain the pet(s) in a healthy condition and to update the Pet Information Form on an annual basis at the time of re-examination by signing a new Pet Agreement.
12. TENANT AGREES THAT DHA IS IN NO WAY RESPONSIBLE NOR LIABLE FOR ANY ACTION, INJURIES, OR DAMAGES CAUSED BY THE TENANT'S PET. NOR IS DHA RESPONSIBLE FOR THE SAFEKEEPING OR WELL-BEING OF THE PET. A PET IS THE SOLE RESPONSIBILITY AND OBLIGATION OF THE TENANT.
13. Tenant has read and agrees to comply with the Pet Policies which are herein incorporated by reference and agrees to comply with such rules and regulations as are adopted from time to time by DHA in the future.

Manager

Tenant

Date

Tenant

Date

EXHIBIT C
Veterinarian's Certification

Tenant's Name _____

Veterinarian's Name _____

Address _____

Telephone Number _____

Animal Name _____ Age _____

Animal Breed _____ Weight _____

Height _____

Is the animal in good health? YES _____ NO _____

Is the animal suitable as a pet? YES _____ NO _____

DATE

TREATMENT: Parvovirus _____

Distemper _____

Rabies _____

Heartworm _____

Spay/Neuter _____

Other _____

COMMENTS: _____

Veterinarian's Signature

Date

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the *Standard Annual, Standard 5-Year/Annual, and
Streamlined 5-Year/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, X standard 5-Year/Annual or streamlined 5-Year/Annual PHA Plan for the PHA fiscal year beginning 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.

The Housing Authority of the City and County of Denver
 PHA Name

CO001
 PHA Number/HA Code

- Standard PHA Plan for Fiscal Year: 20__
- Standard Five-Year PHA Plan for Fiscal Years 2008- 2012, including Annual Plan for FY 2008
- 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 William E. Mosher	Title Board Chairperson
Signature X <i>William E Mosher</i>	Date 10-11-07

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name _____

Housing Authority of the City and County of Denver

Program/Activity Receiving Federal Grant Funding _____

Consolidated Annual Contributions Contract - Section 8, Rental Vouchers, and Moderate Rehabilitation

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 Federal agency 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.)

See attached.

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 <i>ISMAEL GUERRERO</i>	Title Executive Director
Signature <i>Ismael Guerrero</i>	Date 10-12-07

<u>Address</u>	<u>City</u>	<u>County</u>	<u>State</u>	<u>Zip Code</u>
777 Grant Street	Denver	Denver	Colorado	80203
201 South Yuma Street	Denver	Denver	Colorado	80219
3537 West 13th Avenue	Denver	Denver	Colorado	80204
4407 Mariposa Street	Denver	Denver	Colorado	80211
990 Alcott Way	Denver	Denver	Colorado	80204
1000 Navajo Street	Denver	Denver	Colorado	80204
3401 West Kentucky	Denver	Denver	Colorado	80219
5040 Paris Street	Denver	Denver	Colorado	80239
1550 West Colfax	Denver	Denver	Colorado	80204
3058 Champa Street	Denver	Denver	Colorado	80205
2945 West Florida	Denver	Denver	Colorado	80219
1790 West Mosier	Denver	Denver	Colorado	80223
333 West Ellsworth	Denver	Denver	Colorado	80223
2024 Clarkson	Denver	Denver	Colorado	80205
3550 West 13th Avenue	Denver	Denver	Colorado	80204
1775 West Mosier	Denver	Denver	Colorado	80223
1401 Mariposa Street	Denver	Denver	Colorado	80204
4333 South Syracuse	Denver	Denver	Colorado	80237
1212 South Federal Blvd	Denver	Denver	Colorado	80219
3800 Alcott	Denver	Denver	Colorado	80211
1222 South Federal Blvd	Denver	Denver	Colorado	80219
4343 South Syracuse	Denver	Denver	Colorado	80237
2674 Lawrence Street	Denver	Denver	Colorado	80205
240 Park Avenue West	Denver	Denver	Colorado	80205

Certification of Payments to Influence Federal Transactions

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

Applicant Name

The Housing Authority of the City and County of Denver

Program/Activity Receiving Federal Grant Funding

Consolidated Annual Contributions Contracts, HOPE VI, Capital Fund Grant, Section 8, Rental Vouchers, and Moderate Rehabilitation.

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.

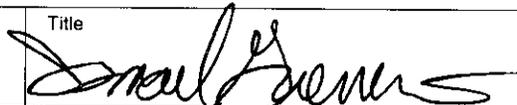
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to 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



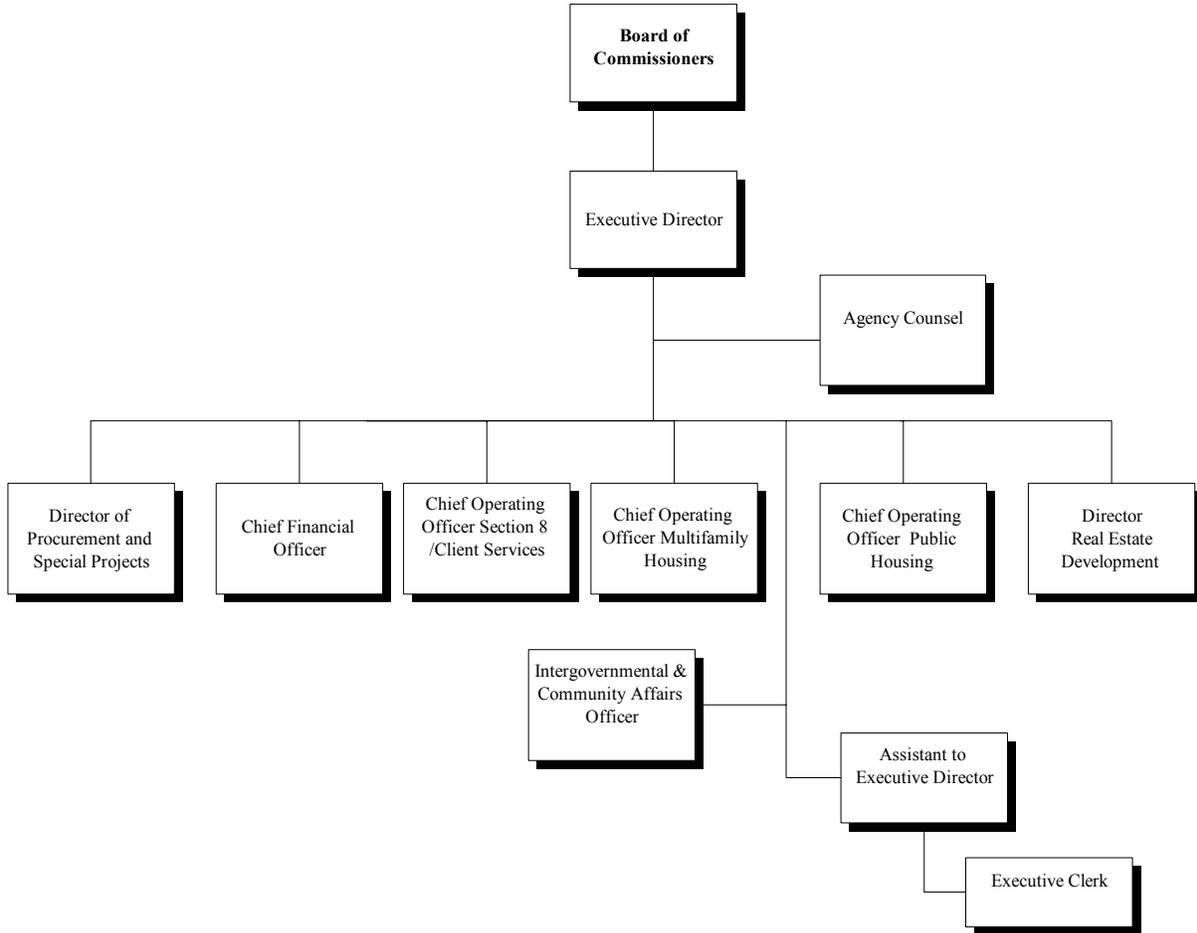
Signature

Date (mm/dd/yyyy)

10-12-07

**HOUSING AUTHORITY OF THE CITY AND COUNTY OF DENVER, COLORADO
2008 ORGANIZATIONAL CHART**

OVERALL DHA



Attachment 12

VAWA and the PHA Plan

On January 5, 2006, President Bush signed VAWA into law as Public Law 109-162. Section 603 of the law amends Section 5A of the U.S. Housing Act (42 U.S.C. 1437c-1) to require PHAs' five-year and annual PHA Plans to contain information regarding any goals, activities, objectives, policies, or programs of the PHA that are intended to support or assist victims of domestic violence, dating violence, sexual assault, or stalking. All PHA Plans submitted after January 5, 2006 must address VAWA. Provisions of VAWA are applicable to both public housing and Section 8 programs and to owners renting to families under Section 8 rental assistance programs.

PHAs must include as an attachment to the plan a statement regarding VAWA including goals, activities, objectives, policies, or programs of the PHA that are intended to support or assist victims of domestic violence, dating violence, sexual assault, or stalking. PHAs are encouraged to describe in it's VAWA statement the PHA procedures in place that assures that tenants are notified of their rights under VAWA.

The following goals, policies and procedures regarding VAWA are excerpts from the Denver Housing Authority 2008 Agency Plan, Attachment 1- Public Housing ACOP and Attachment 2-Section 8 Administrative Plan.

Agency Plan B. Goals

Goal Six: DHA will strive to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault or stalking.

Objectives:

1. DHA shall ensure that such victims have meaningful access to the criminal justice system without jeopardizing their housing assistance.
2. DHA shall build collaborations among victim service providers to provide appropriate services, interventions and training to address the needs of such victims.
3. DHA shall respond appropriately to such victims, while maintaining a safe environment for all housing residents.

Attachment 1-Public Housing ACOP

2.40 Violence Against Women and Department of Justice Reauthorization Act of 2005

The purpose of this Act is to protect the safety of victims of domestic violence, dating violence, sexual assault, and stalking who reside in public housing and ensure that such victims have meaningful access to the criminal justice system without jeopardizing such housing. The Act creates long-term housing solutions that develop communities and provides sustainable living solutions for victims of domestic violence, dating violence, sexual assault and stalking. This allows public housing agencies to build collaborations among victim service providers and to provide appropriate services, interventions and training to address the housing needs of victims of domestic violence, dating violence, sexual assault and stalking. The Act also enables public housing agencies to respond appropriately to domestic violence, dating violence, sexual assault and stalking while maintaining a safe environment for all housing residents.

This Act amends the United States Housing Act of 1937 with regard to the Public Housing Program in the following ways:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence.
2. Criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate member of the tenant's family is a victim of that domestic violence, dating violence, or stalking.
3. DHA may bifurcate a lease in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant.
4. DHA retains the right to evict a tenant for any violation of a lease not premised on the act or acts of violence in question against the tenant or a member of the tenant's household, provided that DHA will not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate a tenancy.

5. DHA retains the right to evict a tenant if it can be demonstrated that there is an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant's tenancy is not terminated.
6. DHA may request that an individual certify via a HUD approved certification form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the Act. Such certification shall include the name of the perpetrator. The individual shall provide the certification within 14 business days after DHA requests it.
7. If the individual fails to provide the certification discussed in paragraph 10 above within 14 business days of a request, DHA may evict any tenant or lawful occupant that commits a violation of the lease. DHA may extend the 14 day deadline at its discretion.
8. An individual may satisfy the certification requirement discussed above in paragraph 6 by: 1) providing DHA with documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation; or 2) producing a federal, state, tribal, territorial, or local police or court record.
9. All information provided to DHA relating to the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence, except to the extent that disclosure is:
 - a. requested or consented to by the individual in writing;
 - b. required for use in an eviction proceeding; or
 - c. otherwise required by applicable law.

The following are additional requirements regarding requests for emergency transfers that are the result of domestic violence, dating violence, or stalking:

1. Tenant initiated emergency transfers that are the result of domestic violence, dating violence, or stalking will only be approved if they are accompanied by documentation acceptable to DHA substantiating the domestic violence, dating violence, or stalking.
2. Whenever a tenant is granted an emergency transfer that is the result of domestic violence, dating violence, or stalking, the perpetrator of such violence or stalking will be automatically barred from the

tenant's previous residence, the tenant's new residence, and all of the tenant's subsequent residences pursuant to the DHA No Trespass/Barring Procedure.

3. A tenant who is granted an emergency transfer that is the result of domestic violence, dating violence, or stalking who subsequently allows a barred perpetrator of such violence or stalking onto the property in violation of the DHA No Trespass/Barring Procedure will be in violation of his/her lease and subject to possible eviction.

Attachment 2-Section 8 Administrative Plan

3.29 Violence Against Women and Department of Justice Reauthorization Act of 2005

The purpose of this Act is to protect the safety of victims of domestic violence, dating violence, sexual assault, and stalking who reside in public housing and ensure that such victims have meaningful access to the criminal justice system without jeopardizing such housing. The Act creates long-term housing solutions that develop communities and provides sustainable living solutions for victims of domestic violence, dating violence, sexual assault and stalking. This allows public housing agencies to build collaborations among victim service providers and to provide appropriate services, interventions and training to address the housing needs of victims of domestic violence, dating violence, sexual assault and stalking. The Act also enables public housing to respond appropriately to domestic violence, dating violence, sexual assault and stalking while maintaining a safe environment for all housing residents.

This Act amends the United States Housing Act of 1937 with regard to the Public Housing Program in the following ways:

- 1) Being a victim of domestic violence, dating violence or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies.
- 2) An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated lease violation by the victim or threatened victim and will not be good cause for terminating the assistance, tenancy or occupancy rights of the victim.
- 3) Criminal activity directly related to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights, if the tenant or an immediate family member of the tenant's family is a victim of that domestic violence, dating violence, or stalking.
- 4) A landlord or manager may bifurcate a lease in order to evict, remove or terminate assistance to any individual who is a tenant or lawful occupant

and who engages in criminal act of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant.

- 5) Landlords, managers, and DHA retain the right, when notified, to honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members in cases where a family breaks up.
- 6) A landlord or manager retains the right to evict, and DHA retains the right to terminate assistance to, a tenant for any violation of a lease not premised on the act or acts of violence in question against the tenant or a member of the tenant's household, provided that the landlord or manager will not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate a tenancy.
- 7) A landlord or manager retains the right to evict, and DHA retains the right to terminate assistance to, a tenant if it can be demonstrated that there is an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant's tenancy or assistance is not terminated.
- 8) Nothing in the Act shall be construed to supersede any provision of any federal, state, or local law that provides greater protection than the Act to victims of domestic violence, dating violence, or stalking.
- 9) A participating family may receive a voucher from DHA and move to another jurisdiction under the tenant-based assistance program if the family has complied with all other obligations of the Section 8 program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.
- 10) A landlord, manager, or DHA may request that an individual certify via a HUD approved certification form that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the Act. Such certification shall include the name of the perpetrator. The individual shall provide the certification within 14 business days after the landlord, manager, or DHA requests it.
- 11) If the individual fails to provide the certification discussed in paragraph 10 above within 14 business days of a request, the landlord, manager, or DHA may terminate the assistance for any tenant or lawful occupant that commits a violation of the lease. The landlord, manager, or DHA may extend the 14 day deadline at their discretion.

- 12) An individual may satisfy the certification requirement discussed above in paragraph 10 by: 1) providing the requesting landlord, manager, or DHA with documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty or perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation; or 2) producing a federal, state, tribal, territorial, or local police or court record.
- 13) All information provided to a landlord, manager, or DHA relating to the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence, except to the extent that disclosure is:
 - i. requested or consented to by the individual in writing;
 - ii. required for use in an eviction proceeding; or
 - iii. otherwise required by applicable.

Additional requirement for emergency transfers that are the result of domestic violence, dating violence, or stalking:

- 1) Requests for vouchers to transfer to another unit that are the result of domestic violence, dating violence, or stalking will only be approved if they are accompanied by documentation substantiating the domestic violence, dating violence, or stalking.